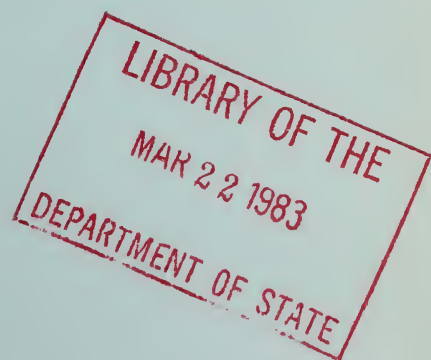


United States Participation in the UN

Report by the President
to the Congress
for the year 1981

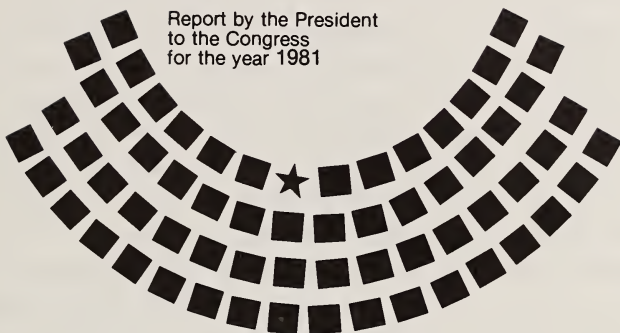


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TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies, as required by the United Nations Participation Act (Public Law 264, 79th Congress). The report covers calendar year 1981, the first year of my Administration.

During this first year we devoted much time and effort to making our participation in the organizations of the United Nations system more effective and to rendering the system more efficient. We have urged the United Nations and its affiliated agencies to slow budget growth, define priorities, upgrade personnel, and purge debate of irrelevant and divisive rhetoric. We have pursued these changes in order to strengthen the United Nations and help it realize its enormous potential for maintaining international peace and security and for contributing to the economic and social betterment of the world's peoples.

The year 1981 saw the United Nations constructively engaged in a number of important areas. United Nations peacekeeping forces have helped prevent serious fighting in Cyprus and the Golan Heights; the United Nations General Assembly called for an end to Soviet and Vietnamese aggression in Afghanistan and Kampuchea; and several United Nations organizations and agencies continued their valuable humanitarian and technical work around the world. The year also saw the election of a new United Nations Secretary General, Javier Perez de Cuellar, an experienced and able international diplomat.

At the same time, the United Nations' 1981 performance left much room for improvement. Extreme United Nations resolutions on the Middle East and Southern Africa often increased tensions rather than promoted solutions. The General Assembly called for the Government of El Salvador to negotiate with the guerrillas opposing it, discounting in advance the value of elections which proved a resounding success. Resolutions on arms control were often propagandistic and worked against the goal of genuine, balanced, and verifiable arms reductions. The General Assembly approved an unjustifiably large biennial budget in the face of United States opposition.

My Administration will continue to work strenuously and constructively to defend United States interests in the United Nations setting and to make the Organization itself increasingly more responsive to global problems and needs.

RONALD REAGAN

THE WHITE HOUSE,
February 2, 1983.

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ACRONYMS AND SHORT FORMS

| | |
|-----------------|---|
| AID | U.S. Agency for International Development |
| ACABQ | Advisory Committee on Administrative and Budgetary Questions |
| ACC | Administrative Committee on Coordination |
| Committee of 24 | Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples |
| CD | Committee on Disarmament |
| CIEC | Conference on International Economic Cooperation |
| CSCE | Conference on Security and Cooperation in Europe |
| EC | European Communities |
| ECA | Economic Commission for Africa |
| ECE | Economic Commission for Europe |
| ECLA | Economic Commission for Latin America |
| ECOSOC | Economic and Social Council |
| ECWA | Economic Commission for Western Asia |
| ESCAP | Economic and Social Commission for Asia and the Pacific |
| FAO | Food and Agriculture Organization |
| GATT | General Agreement on Tariffs and Trade |
| G-77 | The Group of 77 |
| HHS | U.S. Department of Health and Human Services |
| IAEA | International Atomic Energy Agency |
| IBRD | International Bank for Reconstruction and Development |
| ICAO | International Civil Aviation Organization |
| IDA | International Development Association |
| IFC | International Finance Corporation |
| ILO | International Labor Organization |
| IMCO | Intergovernmental Maritime Consultative Organization |
| IMF | International Monetary Fund |
| ITU | International Telecommunication Union |
| NASA | U.S. National Aeronautics and Space Administration |
| NATO | North Atlantic Treaty Organization |
| OAS | Organization of American States |
| OAU | Organization of African Unity |
| OECD | Organization for Economic Cooperation and Development |
| OPEC | Organization of Petroleum Exporting Countries |
| PLO | Palestine Liberation Organization |
| SWAPO | South West Africa People's Organization |

| | |
|----------|--|
| UNCITRAL | UN Commission of International Trade Law |
| UNCTAD | UN Conference on Trade and Development |
| UNDC | UN Disarmament Commission |
| UNDOF | UN Disengagement Observer Force |
| UNDP | UN Development Program |
| UNEF | UN Emergency Force |
| UNEP | UN Environment Program |
| UNESCO | UN Educational, Scientific, and Cultural Organization |
| UNFICYP | UN Force in Cyprus |
| UNHCR | Office of the UN High Commissioner for Refugees |
| UNICEF | UN Children's Fund |
| UNIDO | UN Industrial Development Organization |
| UNIFIL | UN Interim Force in Lebanon |
| UNITAR | UN Institute for Training and Research |
| UNRWA | UN Relief and Works Agency for Palestine Refugees in the Near East |
| UNSCEAR | UN Scientific Committee on the Effects of Atomic Radiation |
| UPU | Universal Postal Union |
| WFP | World Food Program |
| WHO | World Health Organization |
| WIPO | World Intellectual Property Organization |
| WMO | World Meteorological Organization |

Part 1

Political and Security Affairs

The UN Charter gives both the Security Council and the General Assembly authority to consider international political and security matters. Primary responsibility for the maintenance of international peace and security rests with the Security Council, composed of 15 members and organized to function continuously when required. A special role within the Council is assigned to the five permanent members—China, France, U.S.S.R., the United Kingdom, and the United States—in that the negative vote (veto) of a permanent member prevents the Security Council from taking a decision on any substantive matter. Procedural issues are not affected by the negative vote of a permanent member. The Charter authorizes the Council to act for the purpose of achieving pacific settlement of disputes (Chapter VI) and to deal with threats to peace, breaches of the peace, and acts of aggression (Chapter VII). The Council may only recommend action on those matters that come under Chapter VI. In areas covered by Chapter VII it may take action that is binding upon all member states, including the imposition of collective political, economic, and military sanctions.

The Security Council has established UN peacekeeping organizations to assist it in carrying out its responsibilities. Those currently operating include the UN Force in Cyprus (UNFICYP), the UN Disengagement Observer Force (UNDOF) in the Golan Heights between Israel and Syria, and the UN Interim Force in Lebanon (UNIFIL) in southern Lebanon. These peacekeeping operations were created and deployed with the consent of the governments concerned. In 1978 the Council authorized the establishment of a UN Transition Assistance Group (UNTAG) to assist the Secretary General's Special Representative to ensure the early independence of Namibia through free and fair elections. Its formation still awaits final agreement on a Namibia settlement.

The Security Council held 60 meetings in 1981, most of which were devoted to Middle East and African issues.

In June 1981 the Council held nine meetings to consider Israel's bombing of the Osirak nuclear reactor in Iraq. On June 19 the Council adopted unanimously a resolution condemning the Israeli

attack as "a clear violation of the Charter." The Council held four meetings in December in response to a new Israeli law extending its law, jurisdiction, and administration to the Syrian Golan Heights, which were occupied by Israeli forces in the 1967 war. The Council passed unanimously a resolution declaring the law "null and void," demanded its rescission, and called for a meeting by January 5, 1982, if Israel did not comply.

The Council met in March to consider the renewed conflict between Israeli and Palestinian forces in southern Lebanon and Israeli air attacks. On March 19 the Council's President issued a statement condemning violence against UNIFIL. The conflict intensified until a *de facto* ceasefire was negotiated through the good offices of U.S. Special Envoy Philip Habib. This was reflected in a Security Council resolution adopted on July 21 calling for a cessation of all armed attacks.

The Council renewed UNIFIL's mandate on June 19 and again on December 18. On May 22 and November 23 the Council routinely renewed the mandate of UNDOF, and on June 4 and December 14 renewed the mandate of UNFICYP without significant debate.

Malta convened the Security Council on July 30 to consider Malta's complaint over Libya's refusal to submit a dispute over the boundary of the continental shelf between the two countries to the International Court of Justice. The Council heard statements by the parties to the dispute.

As a result of South African military incursion into Angola, the Council met at Angola's request August 28–31. The members agreed to a statement by the President of the Council.

During the year the Council recommended and the General Assembly later approved UN membership for Vanuatu, Belize, and Antigua and Barbuda, bringing UN membership to 157 countries.

The Seychelles requested a meeting of the Council in December to consider an attack at the Seychelles airport by foreign mercenaries. The Council adopted a resolution on December 15 condemning the attack and establishing a commission to investigate and report back to the Council.

On February 5 the members of the Council authorized the President of the Council to make a statement expressing their grave concern over death sentences passed by the South African Supreme Court against three members of the African National Congress convicted for treason.

All UN members are represented in the General Assembly. The work of the Assembly takes place in plenary meetings and in seven Main Committees. Disarmament issues are considered in the First Committee. Political issues are considered in the plenary Assembly and in the Special Political Committee. The Assembly also has established subsidiary bodies, sometimes of limited membership,

which meet between Assembly sessions and report to it. These reports form the foundation for much of the Assembly's work.

The 36th General Assembly convened on September 15, 1981, and was suspended on December 18. It elected Javier Perez de Cuellar (Peru) as Secretary General of the United Nations, replacing Kurt Waldheim (Austria). The Assembly was scheduled to resume in early 1982 to consider several remaining items of its agenda, including the question of the Global Negotiations and the election to fill a vacancy in the International Court of Justice caused by the death of Judge Abdullah El-Erian (Egypt). As in previous years Middle East and southern Africa issues dominated the political agenda of the 36th General Assembly.

The Assembly adopted seven resolutions critical of Israel under the agenda item "Israeli practices in the Occupied Territories." Six resolutions supporting the Palestinian cause and criticizing Israel were adopted under the item "the Question of Palestine." The United States either voted against or abstained on most of the resolutions concerning the Middle East situation on the grounds that they were either partisan or not constructive.

The Assembly adopted 16 resolutions under the item "Policies of apartheid of the Government of South Africa." The United States opposed most of these because of their extreme, confrontational nature, while restating strong U.S. opposition to apartheid.

Under the item "Situation in Kampuchea," the Assembly adopted a resolution aimed at ending Vietnam's 1978 military occupation of Kampuchea. The 35th General Assembly had authorized a UN International Conference on Kampuchea July 13-17, 1981, in New York. The Conference was attended by 79 member states; Vietnam did not attend. The Conference adopted a Declaration calling for a negotiated settlement in accordance with the terms of General Assembly resolutions and a reconvening of the Conference in the future.

Another highlight of the 36th session of the Assembly was the adoption of a resolution calling for withdrawal of all foreign forces from Afghanistan and restoration of Afghan independence and territorial integrity. The resolution, which was adopted by an even greater majority than the two similar 1980 resolutions, indicated continued international opposition to the Soviet 1979 invasion and occupation of Afghanistan.

Arms control and disarmament, was, as in the past, a major area of activity at the 36th General Assembly. The Assembly adopted 48 resolutions, including a renewal of the mandate of an experts group on chemical weapons which had been established by a resolution of the 35th Assembly to investigate reports of chemical weapons use. These resolutions reflected international concern over reports of chemical weapons use in Laos, Kampuchea, and Afghanistan. Two

resolutions on arms control in outer space, one a Soviet initiative and the other sponsored by Western states, also stood out among the many arms control resolutions adopted.

PEACEFUL SETTLEMENT

Middle East

SECURITY COUNCIL CONSIDERATION

UNIFIL and Lebanon

On March 2 the Israeli Air Force carried out raids on the village of Abu al-Aswad and other populated localities situated near Tyre in southern Lebanon. As a result of those raids 14 people were killed and more than 50 wounded. This activity prompted a letter dated March 3 from Lebanon to the President of the Security Council to discuss the problem of "repeated Israeli aggression" against Lebanon.

On March 9 the Security Council convened to consider the matter, and on March 16 the Secretary General gave a special report in which he reviewed the series of violent incidents, while urging that all parties cooperate fully with UNIFIL in carrying out its mandate. On March 20 the President of the Security Council made a statement on behalf of the members of the Security Council that condemned the *de facto* forces in southern Lebanon for violent acts against UNIFIL and reiterated the need for full implementation of Security Council resolution 425 (1978), which had called for withdrawal of Israeli forces from Lebanese territory and established UNIFIL as a peacekeeping force. The Security Council rose after the President's statement and did not convene again on this question until June.

On June 19 the Security Council considered a resolution which, *inter alia*, renewed the mandate of UNIFIL for the next 6-month period, until December 19, 1981. The resolution was adopted by a vote of 12 (U.S.) to 0, with 2 abstentions (German Democratic Republic, U.S.S.R.). China did not participate in the vote. (Resolution 488 (1981).)

The Soviet Representative explained the Soviet Union's abstention by referring to the need to defend a victim of Israeli aggression

without jeopardizing the sovereign rights of the Government of Lebanon. He also emphasized the view that all expenditures entailed in eliminating the consequences of armed aggression by Israel against Lebanon should be defrayed by the aggressor. The German Democratic Republic Representative abstained, because in the view of his government, the resolution was not sufficiently severe in its condemnation of Israel for its support of militia elements in the border area which had attacked UNIFIL. Furthermore the German Democratic Republic continued to have reservations with regard to the formulation of UNIFIL's mandate, its composition, and its financing.

In a June 19 statement the U.S. Representative, Dirk Gleysteen, reiterated the profound support of the United State for UNIFIL in its efforts to reassert its full authority throughout the national borders of Lebanon and expressed condolences for those who had died in the service of the international community.

On July 17 the Charge d'Affaires of the Lebanese Mission addressed a letter to the President of the Security Council, urging him to call a meeting of the Council to discuss the "deteriorating situation" in south Lebanon and the July 17 attacks of the Israeli Air Force against targets in Beirut.

On July 21 the Security Council unanimously adopted a resolution (490 (1981) which, *inter alia*, called for an immediate cessation of all armed attacks and reaffirmed the Council's commitment to the sovereignty, territorial integrity, and independence of Lebanon within its internationally recognized boundaries.

The Security Council convened once again on December 18 to discuss the situation in the Middle East and the Secretary General's report on UNIFIL. A resolution which, *inter alia*, renewed the mandate of UNIFIL for the next 6-month period, until June 19, 1982, was adopted on the same day by a vote of 13 (U.S.) to 0, with 2 abstentions (German Democratic Republic, U.S.S.R.). (Resolution 498 (1981).)

In explanation of the U.S. vote, the U.S. Representative, Ambassador Charles Lichenstein, said that UNIFIL had helped materially to reduce dangerous confrontations among the various antagonists. He expressed the pleasure of his government that the renewal resolution recognized the sovereignty of the Lebanese Government in the southern region and the integrity of its national territory.

UNDOF Renewals

The Security Council twice acted routinely to renew the mandate of the UN Disengagement Observer Force (UNDOF) during 1981, both times without debate. On May 22 the Security Council adopted

a resolution extending the UNDOF mandate for a period of 6 months, and on November 23 another resolution was adopted extending the mandate of the Force for the same period, through May 1982. (Resolutions 485 (1981) and 493 (1981).) In both cases the vote was 14 (U.S.) to 0, with China not participating. Following each vote the Council President stated that the Security Council believed that the Middle East situation continued to be "potentially dangerous" and was likely to remain so pending a comprehensive statement.

Israel's Raid on the Iraqi Nuclear Facility

The Israeli Air Force attacked the Iraqi nuclear research reactor near Baghdad on June 7. In announcing its reason for this action the next day, the Government of Israel stated that sources that it believed to be reliable had shown that the reactor was designed to produce atomic bombs for use against Israel. According to the Israeli announcement, the reactor was about to become operational and "hot." Consequently the Israelis acted "to ensure our people's existence."

In a June 8 letter to the President of the Security Council, the Foreign Minister of Iraq requested an immediate meeting of the Security Council to consider the Israeli raid, which the letter called a "grave act of aggression committed by Israel against Iraq with far-reaching consequences for international peace and security." The Foreign Minister stressed that Iraq was a party to the Non-Proliferation Treaty whereas Israel had not adhered to that treaty.

The Security Council discussed this matter in nine meetings during June 12-19. The United States worked with the delegation of Iraq to produce a broadly acceptable outcome of the issues in the Security Council. On June 29 the Council unanimously adopted resolution 487 (1981) which strongly condemned Israel's attack "in clear violation of the Charter of the United Nations and the norms of international conduct." Considering the attack a threat to "the entire IAEA safeguards regime which is the foundation of the Non-Proliferation Treaty," the resolution called on Israel to refrain from such acts in the future and to place its own nuclear facilities under IAEA safeguards. The resolution stated that Iraq had the right to establish programs of peaceful nuclear development and, without specifying any source of compensation, declared that "Iraq is entitled to appropriate redress for the destruction it has suffered, responsibility for which has been acknowledged by Israel."

Prior to the June 19 vote the U.S. Permanent Representative, Ambassador Jeane J. Kirkpatrick, noted the U.S. Government's long

involvement in efforts to bring peace to the Middle East and stated that, precisely because of this involvement, the United States had been "shocked" by the Israeli raid. Stressing the strong American ties to Israel and expressing sympathy for Israel's distrust of Iraqi intentions, she believed nevertheless that "the means Israel chose to quiet its fears about the purposes of Iraq's nuclear program have hurt, not helped, the peace and security of the area." Furthermore Israel had not exhausted diplomatic means of redress.

After the vote Ambassador Kirkpatrick made a brief statement in explanation of vote. The Ambassador said that the issue of appropriate redress must be understood in the light of all the legal relationships in the region. She stressed that the adopted resolutions would not affect the U.S. commitment to Israel's security and to the peace of the region.¹

Extension of Israeli Laws to the Occupied Golan Heights

On December 14 the Israeli Knesset passed a law extending Israel's laws, jurisdiction, and administration to the occupied Golan Heights. Syria, which had exercised sovereign power in that area before Israel's occupation, sent a letter the same day to the President of the Security Council requesting an urgent Council meeting.

The Council convened December 16 in the first of four meetings that ended December 17, when the Council voted unanimously to adopt resolution 497 (1981), which declared Israel's action "null and void and without international legal effect." The resolution demanded rescission of the Israeli Knesset's legislation and asked the Secretary General to report to the Council on the resolution's implementation within 2 weeks. If Israel did not comply with the resolution, the Council "would meet urgently, and not later than January 5, 1982, to consider taking appropriate measures in accordance with the Charter of the United Nations." The resolution also determined that the Fourth Geneva Convention continued to apply to Syrian territory occupied by Israel.

In a statement delivered December 17, Ambassador Charles Lichenstein explained the U.S. vote in favor of the resolution. Noting that the resolution reaffirmed "relevant Security Council resolutions" in a preambular provision, the Ambassador referred to resolutions 242, 338, and 350 as the most important among these. These resolutions, he said, form the basis of a just and lasting peace in the region built on the principles of withdrawal from occupied territories and the right of every state to live in peace within secure

¹ For General Assembly consideration of this incident, see p. 14.

and recognized boundaries. The United States deeply regretted the Israeli Knesset's measure "that purports to extend permanent Israeli control over the occupied Golan Heights." Such unilateral acts rendered more difficult the negotiation of a permanent settlement under resolutions 242 and 338.

After unanimously adopting resolution 497 (1981) on December 17, the Security Council adjourned to await the Secretary General's report and Israeli actions in response to the Council's resolution.

GENERAL ASSEMBLY CONSIDERATION

Situation in the Middle East

Two new items were added to the agenda of the 36th General Assembly. The first, "Armed Israeli aggression against Iraqi nuclear installations and its grave consequences," was requested by 32 non-aligned countries and assigned to plenary. The second, "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea," was included at the request of 20 Arab countries and assigned to the Special Political Committee.

Four other Middle East items on the agenda had been considered in earlier years. Two items—Situation in the Middle East and Question of Palestine—also were considered directly in plenary with reference to a main committee. Two other items—UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and Report of the Special Committee To Investigate Israeli Practices Affecting the Human Rights of the Population of Occupied Territories—were considered in the Special Political Committee.

The General Assembly conducted a debate on the situation in the Middle East at five meetings between December 11 and 17. Forty-six states, the United Kingdom (on behalf of the member states of the European Community), the Palestine Liberation Organization (PLO), and the League of Arab States took part in the debate.

Speaking in the general debate on December 14, Ambassador Kirkpatrick noted that the agenda item on the "Situation in the Middle East" ought to include the many grave issues threatening the region, such as the Iran-Iraq war, Libyan terrorism, and the Soviet invasion of Afghanistan. Instead it focused solely on the Arab-Israeli conflict and was the occasion for an "endless stream of criticism directed at one member state of this organization," Israel, as well as the forum for an attack on "the only successful peace negotiations in the entire history of the Arab-Israeli dispute," the Camp David accords. She expressed the belief that UN performance on this issue undermined its reputation and its ability to contribute to peace between Israel and its neighbors.

On December 17 Cuba introduced two draft resolutions. The first, ultimately sponsored by four other countries, *inter alia*, (1) de-

manded the "immediate, unconditional, and total withdrawal of Israel" from the occupied territories; (2) reaffirmed the claim of the PLO to be the representative of the Palestinian people; (3) declared the right of the Palestinians to establish an independent state; (4) rejected all partial agreements and separate treaties that violated Palestinian rights; (5) condemned Israel's settlements policy and its attacks in Lebanon; and (6) criticized the strategic agreement of November 30, 1981, between Israel and the United States. The resolution also called on states to end "the flow to Israel of any military, economic, and financial resources, which would encourage it to pursue its aggressive policies against the Arab countries and the Palestinian people."

The second draft, which ultimately was sponsored by 12 other states, was concerned directly with the annexation of the Golan Heights. The draft, among other things, (1) declared Israel's decision to apply Israeli law to the occupied Golan Heights null and void with no legal validity; (2) deplored the persistence of Israeli policy of annexation; (3) demanded that Israel rescind its decision, which constituted a violation of all relevant principles of international law; and (4) requested the Security Council, in the event of Israel's failure to implement the resolution, to invoke Chapter VII of the UN Charter.²

Both drafts were adopted on December 17; resolution 36/226 A by a recorded vote of 94 to 16 (U.S.), with 28 abstentions, and resolution 36/226 B by a recorded vote of 121 to 2 (Israel, U.S.), with 20 abstentions.

Speaking after the vote the U.S. Deputy Representative, Ambassador Kenneth L. Adelman said that the United States found several elements in the resolution objectionable, for example, the characterization of the recent U.S.-Israel agreement on strategic cooperation, the purposes of which were public and consistent with the UN Charter. Noting that the resolution called Israeli practices "aggression" and urged sanctions in the form of an end of aid to Israel, he said that the Assembly should instead seek ways to reduce animosities on both sides and acknowledge Israel's right to live in peace. Concerning the Golan resolution Ambassador Adelman explained that the United States could not accept its invocation of Chapter VII sanctions. He also noted that Article 12 of the Charter forbids the General Assembly from making recommendations on a matter under consideration by the Security Council, as the Golan situation was at that time.

Question of Palestine

The General Assembly considered the question of Palestine in plenary session at seven meetings between December 2 and 10.

² Chapter VII empowers the Security Council to take action necessary to maintain or restore international peace and security, *inter alia*, imposition of sanctions or use of military force.

Representatives of 55 states, the United Kingdom (on behalf of the member states of the European Community), the PLO, and the League of Arab States took part in the debate.

The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People was introduced on December 2 by the Chairman of the Palestinian Rights Committee. The report once again decided to bring its original recommendations to the forefront. The Committee felt that they were as "valid today" as they were "5 long years ago." These recommendations "are specifically designed to involve the United Nations in a peaceful solution to the question of Palestine, which is the essential component for the resolution of the Middle East conflict."

Ambassador William C. Sherman stated the U.S. position during the debate on December 3. Noting that the history of this issue was "virtually coterminous with that of the United Nations itself," Ambassador Sherman stressed that the Middle East also is troubled by other problems having little or no relation to the Palestine problem and that even regarding the Arab-Israeli question, no consensus exists as to the "essence" of the dispute. The Ambassador defended the Camp David accords and Egyptian-Israeli peace treaty as "the only successful peace negotiations in the entire history of the Arab-Israeli dispute," and he believed they deserved the General Assembly's endorsement. He also reaffirmed Israel's need for recognition from its Arab neighbors. Emphasizing that the United States supports the legitimate rights of the Palestinian people, Ambassador Sherman concluded by strongly opposing "any effort to derogate from the centrality of the Camp David accords, and from Security Council resolutions 242 and 338," which are the only realistic ways to advance these rights.

The General Assembly had six draft resolutions for consideration, which had been proposed by overlapping but different groupings of mainly non-aligned states. Although containing some new elements, the proposals largely paralleled resolutions passed in the 1980 and earlier General Assemblies. Two of the proposals called for the renewal of the mandates of the General Assembly's Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Secretariat's Special Unit on Palestinian Rights, two highly partisan bodies which the United States has consistently opposed since their inception. The vote on the Committee was 121 to 2 (Israel, U.S.), with 23 abstentions. On the Unit the vote was 119 to 3 (U.S.), with 22 abstentions. (Resolutions 36/120 A and 36/120 B.)

A third proposal introduced a new idea by calling for an international conference on Palestine under UN auspices to be convened not later than 1984. The vote was 122 to 4 (U.S.), with 20 abstentions. (Resolution 36/120 C.)

Two further proposals, resembling but not paralleling exactly two texts adopted in 1980, were especially troublesome, because they

obliquely attacked the Camp David agreements, declared the right of the Palestinians to establish an independent state, gave recognition to the PLO, and called for Israeli withdrawal "unconditionally" from the occupied territories. Several Assembly members called for a separate vote on a paragraph seeking Security Council action, and a number of delegations joined the United States in voting against that provision, which nevertheless was adopted by a recorded vote of 96 to 16 (U.S.), with 26 abstentions. The full resolution was adopted by a vote of 111 to 13 (U.S.), with 20 abstentions. (Resolution 36/120 D.) The other resolution, containing the language against the Camp David agreements, was adopted 88 to 21 (U.S.), with 36 abstentions. (Resolution 36/120 F.)

A final proposal on Jerusalem contained language different from the previous year's corresponding resolution, particularly in calling Israel's actions "a threat to international peace and security." The United States, therefore, switched from an abstention in 1980 to a negative vote this year. The resolution passed by 139 to 2 (Israel, U.S.), with 4 abstentions, after a separate vote on the "threat to peace" paragraph that was adopted by 113 to 2 (Israel, U.S.), with 26 abstentions. (Resolution 36/120 E.)

Speaking after the vote on December 10, Ambassador Sherman explained the negative U.S. votes on the six resolutions. He described all the resolutions as unbalanced and biased, saying that "none of them contributes to bringing the achievement of legitimate Palestinian rights any closer to practical reality." Regarding the resolution on Jerusalem, Ambassador Sherman said that the United States agreed with certain elements of it but voted against it, because it omitted any reference to the need for negotiations and characterized the situation in the city as a threat to peace, raising an unacceptable implication of sanctions. Ambassador Sherman stressed that "unilateral actions concerning Jerusalem taken since the 1967 war cannot prejudice the ultimate status of the city, which can only be resolved through negotiations among the concerned parties."

Israeli Practices in Occupied Territories

The report of the Special Committee To Investigate Israeli Practices in the Occupied Territories was transmitted by the Secretary General. The report was considered by the Special Political Committee at eight meetings between November 17 and 30. The General Assembly had established the Special Committee in 1968. The 3-member committee³ has never been permitted to visit either Israel or

³ Members in 1981 were Senegal, Sri Lanka, and Yugoslavia.

the occupied territories, because Israel considers it and its mandate biased. In 1981, as in previous years, the Committee's report was based on documents, press material, testimony received in person and by letter, and hearings held in Geneva.

Prior to the consideration of the report, on October 26, Morocco introduced in the Special Political Committee a draft resolution relevant to recent Israeli excavations in Jerusalem. The draft ultimately was sponsored by 36 other states. The draft resolution, *inter alia*, determined that recent Israeli archeological practices in Jerusalem constituted a flagrant violation of the principles of international law and were a serious obstruction to achieving a comprehensive and just peace in the Middle East as well as a threat to international peace and security, and demanded that Israel desist forthwith from all excavations and transformations of the historical, cultural, and religious sites of Jerusalem. The draft was approved on the same day in Committee by a vote of 101 to 2 (Israel, U.S.), with 23 abstentions. Speaking before the vote the U.S. Representative in the Special Political Committee, Congressman Benjamin Gilman, said that UNESCO had debated this question at length the previous month, having before it the report of the UNESCO Director General's representative, which had found no damage to the holy sites in the Jerusalem excavations. He went on to say that if the sponsors of the draft had evidence to supplement or contradict the report, they should submit it to UNESCO, the proper forum to consider this matter. Moreover, recent archeological activity near the Temple Mount seemed to offer no grounds for the complaints in the resolution. Mr. Gilman deplored "the gratuitous introduction of inflammatory charges, of inflated political rhetoric, and vastly overdrawn language" in the draft resolution and said that the United States would vote against it. Resolution 36/15 was adopted on October 28 in the plenary Assembly by a roll call vote of 114 to 2 (Israel, U.S.), with 27 abstentions. The U.S. objections expressed previously in the Special Political Committee were reiterated at this time.

During further consideration of the subject in Committee, seven draft resolutions sharply criticizing a broad spectrum of alleged Israeli practices in the occupied territories were introduced. Much of the language paralleled similar resolutions adopted the previous year, but several new items were introduced, and the tone was generally harsher against Israel. These resolutions were sponsored by varying groups. The Committee approved all of the resolutions separately on November 30 and forwarded them to the Assembly as a single seven-part draft resolution. In the Special Political Committee the United States voted against three of the seven resolutions, judging them to be unacceptably polemical and biased. One of these was an omnibus list of accusations against Israeli practices, which

was approved by a vote of 93 to 2 (Israel, U.S.), with 26 abstentions. Another condemned "the systematic Israeli campaign of repression" against Palestinian students and educational institutions and was approved by a vote of 94 to 2 (Israel, U.S.), with 25 abstentions. The third condemned "the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan Heights"; it was approved by 96 to 2 (Israel, U.S.), with 24 abstentions.

Two other resolutions in this series contained elements with which the United States sympathized, but it abstained in the Committee votes because of the unbalanced language and gave its position in an explanation of vote. These resolutions concerned the unsolved 1980 assassination attempts against West Bank mayors and the 1980 deportation of West Bank notables. The Committee approved these resolutions by votes of 119 to 1 with 1 (U.S.) abstention and 118 to 1, with 1 (U.S.) abstention.

The remaining two resolutions on the applicability of the Fourth Geneva Convention to the occupied territories and on the legality of the Israeli settlements contained especially important policy issues. The United States abstained on the settlements resolution, stressing in a statement of vote that it considered the settlements to be an obstacle to peace but that continuing debate over the legal issue was unhelpful. The Committee vote on this resolution was 117 to 1, with 2 (U.S.) abstentions. On the resolution concerning the Geneva Convention, the United States successfully sought separate voting on two paragraphs, enabling (1) a recorded affirmative U.S. vote with the majority that the Convention is applicable to the occupied territories and (2) a recorded U.S. vote against the majority on a provision "condemning" Israel for not applying the Convention. The United States abstained on the resolution as a whole, in a recorded vote of 117 to 1, with 2 abstentions.

All of the above Committee votes were confirmed on December 26 in the plenary Assembly voting. The United States voted as it had in the Special Political Committee with one exception: it abstained on, instead of voting against, the Golan Heights resolution. The Israeli Knesset's action extending Israel's laws, jurisdiction, and administration to the Golan region had occurred 2 days before this plenary vote, and Security Council action was soon to occur. The plenary Assembly voted as follows on these seven resolutions: (1) applicability of the Fourth Geneva Convention: 142 to 1, with 3 (U.S.) abstentions; (2) Israeli settlements: 142 to 1, with 3 (U.S.) abstentions; (3) omnibus charges against Israel: 111 to 2 (U.S.), with 31 abstentions; (4) expulsion of the notables: 143 to 1, with 2 (U.S.) abstentions; (5) Golan Heights: 141 to 1, with 3 (U.S.) abstentions; (6) Palestinian education: 114 to 2 (U.S.), with 30 abstentions; and (7) assassination attempts against the majors: 140 to 1, with 2 (U.S.) abstentions. (Resolution 36/147 A - G.)

On November 23, in the Special Political Committee, Ambassador Lichenstein outlined the formal U.S. position on these issues. He stressed that "observance of fundamental human rights is an obligation of all governments" and that until a negotiated settlement is reached, Israel must be regarded as a military occupant of the West Bank and Gaza, subject to all the obligations of a state in that situation. Nevertheless the debate on this agenda item had produced distressingly unbalanced rhetoric directed at Israel and the Camp David accords. The Camp David process and the Egyptian-Israeli peace treaty, the Ambassador noted, were the first signs that a peaceful settlement between Israel and its neighbors was possible. This process was "the best means for advancing human rights in the West Bank and Gaza."

Israeli Raid on Iraq's Nuclear Reactor

Building on the Security Council's condemnation in June of Israel's raid on the nuclear reactor near Baghdad, Iraq won the support of 41 other states in requesting that a debate on the raid be included on the agenda of the 36th General Assembly. The item was duly inscribed and assigned directly to the plenary Assembly.

The debate was held November 11-13. Thirty-six non-aligned states introduced a resolution that strongly condemned Israel for its "premeditated and unprecedented act of aggression" and called for actions against Israel including a Security Council investigation of Israeli nuclear activities and Security Council enforcement action to prevent Israel from further endangering international peace and security." Governments were asked to cease providing Israel with arms and related material.

On November 13, the plenary adopted resolution 36/27 by a vote of 109 to 2 (Israel, U.S.), with 34 abstentions.

In an explanation of the U.S. position, on November 12, Ambassador Kirkpatrick noted that the Security Council already had dealt with this issue by a unanimous vote taking into account all relevant aspects of the Israeli attack. Therefore the United States believed that no constructive purpose was served by continuing the debate in the General Assembly. Furthermore the Assembly's resolution departed in important ways from the Council's action. It spoke unwarrantedly of Israel's "aggression," a term that the Council scrupulously avoided. It ignored the total context of the Israeli action, including Iraq's refusal to accept the international consensus concerning an Arab-Israeli peace embodied in Security Council resolutions 242 and 338. It asked the United States to cease its arms supply relationship with Israel, yet asked no country to cease

supplying arms to Israel's neighbors. It was unbalanced and did not serve the cause of peace in the Middle East.

Mediterranean-Dead Sea Canal

In October 20 Arab states requested that an additional item be included in the agenda of the 36th General Assembly titled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea." This canal project, known familiarly as the "Med-Dead Canal," had been under intensive investigation by Israel for possible construction, and plans were in the stage of feasibility studies. The agenda item was inscribed and allocated to the Special Political Committee.

The Committee considered the topic in three sessions from December 4-7. The same 20 Arab states introduced a resolution which, as later revised, demanded that Israel "cease forthwith implementation of its canal project" and requested the Security Council "to consider initiating measures to halt the execution of this project." States were called upon to avoid assisting the project directly or indirectly.

In recorded balloting on December 7, the Committee adopted the resolution by 114 to 2 (U.S.), with 3 abstentions. This outcome was confirmed in plenary session on December 26 by a vote of 139 to 2 (U.S.), with 4 abstentions. (Resolution 36/150.)

Ambassador Lichenstein, speaking on December 7 in explanation of vote in the Committee, explained the U.S. position by observing that the resolution was worded as though irreparable damage already had been done or was about to be done, when in fact the Israeli project was in the earliest planning stages. He felt that it was inappropriate to invoke Security Council consideration of an issue that did not present a threat to international peace and security.

UN Relief and Works Agency for Palestine Refugees in the Near East

The Special Political Committee met 10 times between November 2 and December 7 to discuss UNRWA. The Committee had before it the report of the Commissioner General of UNRWA, reports of the Secretary General concerning the Palestine refugees, the report of the UN Conciliation Commission for Palestine (PCC)⁴, and the report of the Working Group on the financing of UNRWA. The Committee

⁴ The PCC was established by the 3rd General Assembly in resolution 194, adopted December 11, 1948; its members are France, Turkey, and the United States.

approved eight draft resolutions in November and early December, all of which were adopted in the plenary Assembly on December 16. The United States supported four of these resolutions which upheld UNRWA and its work and called upon states to offer scholarships to Palestinian refugees.

The Commissioner General of UNRWA, Olaf Rydbeck, spoke at the debate's opening. Mr. Rydbeck said that a lack of funds threatened the education program, and its curtailment would have serious consequences for stability in the area. He said that financial constraints might oblige him to close some of the refugee schools to avoid insolvency. The Agency's projected deficit for 1982 was \$80 million, \$39 million of which was related to the education program. Mr. Rydbeck stated further that, unless the Agency's finances were planned on a more sound basis and it was assured of regular and adequate contributions, it would continue to move from one crisis to another until it collapsed.

On November 9 Pakistan introduced two draft resolutions: the first, "Palestine refugees in the Gaza Strip," and the second, "Population and refugees displaced since 1967," both of which were sponsored by the same 12 countries. The resolutions were similar to those bearing the same titles that were adopted in the preceeding General Assemblies.

The resolution addressing the conditions of Palestinian refugees in the Gaza Strip called upon Israel to desist from removal and resettlement of Palestinian refugees in the Gaza Strip and from destruction of their shelters, and it requested the Secretary General to report on Israel's compliance at the 37th General Assembly. The United States opposed this resolution because it addressed Israel in a harsh and unfair manner. The resolution was approved on November 10 by a vote of 119 to 2 (Israel, U.S.), with 2 abstentions, and adopted by the plenary by a vote of 141 to 2 (Israel, U.S.), with 2 abstentions. (Resolution 36/146 A.)

The resolution concerning those displaced since 1967 (1) reaffirmed the "inalienable rights" of all displaced inhabitants to return to their homes in the territories occupied by Israel since 1967; (2) considered any agreements embodying restrictions on such return as null and void; (3) deplored "the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants"; and (4) called on Israel to take steps for the immediate return of all displaced inhabitants and to "desist from all measures that obstruct the return of displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories." The Committee approved the resolution on November 10 by a recorded vote of 105 to 3 (Canada, Israel, U.S.), with 18 abstentions, and the resolution was adopted in plenary by a vote of 121 to 3 (Canada, Israel, U.S.), with 21 abstentions. (Resolution 36/146 B.)

On November 9 Bangladesh introduced a draft resolution, "Revenues derived from Palestine refugee properties," which was sponsored by 10 countries. The resolution (1) requested the Secretary General to take all appropriate steps "for the protection and administration of Arab property, assets and property rights in Israel" and to establish a fund to collect income derived therefrom; (2) called upon all governments concerned to assist the Secretary General in this task; and (3) requested the Secretary General to report to the 37th General Assembly on the implementation of the resolution. The resolution was approved in Committee by a vote of 101 to 2 (Israel, U.S.), with 24 abstentions. The plenary adopted the resolution by a vote of 117 to 2 (Israel, U.S.), with 26 abstentions. (Resolution 36/146 C.)

The United States opposed the resolutions on revenues derived from Palestine refugee properties and on population and refugees displaced since 1967 because of its longstanding position that while repatriation and compensation were measures deemed applicable at the earliest practicable date in the context of an agreement among the parties, the outcome should not be prejudiced by the General Assembly.

On November 6 Sweden introduced a resolution, "Assistance to persons displaced as a result of the June 1967 hostilities," which 21 countries ultimately sponsored. The resolution, *inter alia*, (1) reaffirmed previous resolutions on the subject; (2) endorsed the efforts of the UNRWA Commissioner General in continuing to provide humanitarian assistance on a temporary, emergency basis to those in need as a result of the 1967 hostilities; and (3) strongly appealed to all governments, organizations, and individuals to contribute generously to UNRWA and other governmental and non-governmental organizations concerned. The resolution was approved without a vote by the Committee on November 10 and also was adopted by the Assembly without a vote. (Resolution 36/146 D.)

The Working Group on the Financing of UNRWA⁵ was established by General Assembly resolution 2656 (XXV) on December 7, 1970, and has been renewed annually by each General Assembly. Monitoring UNRWA's financial problems with great attention and concern, it met with Commissioner General Rydbeck in February and October 1981. In its report the Working Group noted that the financial outlook for UNRWA was very serious and urged governments to increase their contributions.

On November 9 the Netherlands introduced a resolution, "Working Group on the Financing of the UN Relief and Works Agency for Palestine Refugees in the Near East," that 21 countries ultimately sponsored. The draft resolution (1) commended the Working Group for its efforts, (2) noted with approval the report of the Working

⁵ France, Ghana, Japan, Lebanon, Norway, Trinidad and Tobago, Turkey, United Kingdom, and United States.

Group, and (3) requested the Working Group to continue its efforts for a further period of 1 year. The resolution was approved without a vote in Committee on November 10 and adopted in the plenary Assembly also without a vote. (Resolution 36/146 E.)

On November 9 the United States introduced a resolution, "Assistance to Palestine refugees." As in past years the resolution, *inter alia*, (1) noted with regret that the repatriation or compensation of refugees as provided for in General Assembly resolution 194 (III) had not been effected, nor substantial progress made toward either repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of concern; and (2) noted that the level of income of UNRWA, although increased due to the efforts of the Commissioner General, was still insufficient to cover essential budget requirements and urged all governments to cooperate in contributing to the needs of UNRWA.

In introducing this resolution Ambassador Charles Lichenstein stated that since the creation of the Agency the United States had contributed nearly \$1 billion. He pledged continued U.S. support for the Agency and called on all nations of the world to do the same. The draft resolution was approved in the Committee by a vote of 125 (U.S.) to 0, with 1 abstention (Israel). The resolution was adopted in the plenary Assembly by a vote of 144 (U.S.) to 0, with 1 abstention (Israel). (Resolution 36/146 F.)

On November 9 Jordan introduced a draft resolution, "University of Jerusalem for Palestine refugees," which was sponsored by five countries. The resolution, *inter alia*, (1) commended the efforts made by the UNRWA Commissioner General and others in exploring ways to establish at Jerusalem a university for Palestine refugees; (2) commended further the cooperation of the "educational authorities in the host countries as well as those of the Palestine Liberation Organization"; (3) called upon Israel "as the occupying power to desist from obstructing" the establishment of the university; and (4) requested the Secretary General to take measures toward establishing the university and to report to the 37th General Assembly on the progress made in implementing the resolution. The United States opposed the draft resolution, because it considered the initiative an unrealistic manner of tackling the problem of developing advanced education for Palestinian students. On November 30 the Committee approved the resolution by a recorded vote of 87 to 2 (Israel, U.S.), with 17 abstentions, and it was approved in plenary by a vote of 119 to 2 (Israel, U.S.), with 20 abstentions. (Resolution 36/146 G.)

On November 9 Jordan introduced a draft resolution entitled "Offers by member states of grants and scholarships for higher education, including vocational training, for the Palestine refugees," which three countries sponsored. The resolution, *inter alia*, (1) invited UN agencies "to continue to expand the inclusion, within

their respective spheres of competence, of assistance for higher education for the Palestine refugee students"; (2) appealed for government and UN contributions to Palestinian universities in the territories occupied by Israel since 1967; and (3) requested UNRWA "to act as recipient and trustee for such special allocations and scholarships and to award them to qualified Palestinian refugee candidates." The resolution was approved on November 10 by a vote of 125 (U.S.) to 0, with 2 abstentions in Committee, and adopted in the plenary session by a vote of 145 (U.S.) to 0, with 1 abstention (Israel). (Resolution 36/146 H.)

On November 10 Qatar introduced a resolution entitled "Financial situation of the UN. Relief and Works Agency for Palestine Refugees," which was sponsored by 20 states. The draft resolution called for UNRWA's 1982 budget deficit to be covered by an appropriation from the regular 1982 UN budget and for a study of the inclusion of UNRWA's budget in the regular 1983 UN budget. On December 3 the U.S. Representative, Ambassador Lichenstein, warned that the draft resolution had financial implications that had not been considered properly—governments which had made initial pledges to UNRWA on the basis that it was voluntarily funded might have to reconsider their pledges and their overall relationship to the Agency. On December 4 the United States submitted an amendment to the draft resolution that would have substituted continued consultations on means of ameliorating UNRWA's critical financial situation and a detailed study of proposals to enhance the Agency's long-term financial stability for the actions proposed by the draft resolution. On December 7 sponsors of the draft resolution agreed not to take a decision on the draft resolution or the U.S. amendment but to continue consideration of the question at a resumed session of the 36th General Assembly in 1982.

Kampuchea

INTERNATIONAL CONFERENCE ON KAMPUCHEA

The General Assembly in 1980, in its resolution 35/6, called for an International Conference on Kampuchea in early 1981 to devise a basis for negotiation of a comprehensive settlement in that country. The Conference met July 13–17, 1981, and was attended by 79 members as participants, 14 additional member states as observers, and the two major non-Communist Kampuchean political groups. Vietnam, the Soviet Union, and those states aligned with the Soviets were absent. Austrian Foreign Minister Willibald Pahr was elected President of the Conference. The Conference produced a "Declaration on Kampuchea" and a resolution.

The Declaration, with "a view to reaching a comprehensive political settlement in Kampuchea," called for negotiations on:

- An agreement on a ceasefire by all parties to the conflict and withdrawal of all foreign forces under the supervision of a UN "peacekeeping force/observer group";

- Arrangements to ensure that armed Kampuchean factions would not be able to prevent or disrupt the holding of free elections and that they would respect the results of the free elections;

- Measures for the maintenance of law and order and for the holding of free elections between the withdrawal of foreign troops and the establishment of the new government resulting from the elections; and

- The holding of free elections under UN supervision to permit the people of Kampuchea to exercise their right of self-determination and elect a government of their choice. The permanent members of the Security Council, all states of Southeast Asia, and other states concerned were called upon to respect and observe the independence, sovereignty, and territorial integrity of Kampuchea.

The Declaration noted the absence of Vietnam and other states, urged them to participate in future sessions of the Conference, and expressed the hope that Vietnam would participate in the negotiating process to bring about a peaceful solution in Kampuchea.

In its resolution, the Conference established an *Ad Hoc* Committee to (1) assist in seeking a comprehensive political settlement; (2) act as an advisory body to the Secretary General between sessions of the Conference; (3) undertake missions, in consultation with and taking into account the recommendations of the Secretary General, in pursuit of a settlement; and (4) advise the Conference President on when the Conference should be reconvened.

In his statement to the Conference, Secretary of State Haig declared that the restoration of Kampuchea's sovereignty and independence were of "compelling importance." The goal of the Conference, he said, should be to restore a sovereign Kampuchea free of foreign intervention and a neutral Kampuchea that represents no threats to its neighbors. The Secretary said that Vietnam's insistence that the situation in Kampuchea was irreversible did not take into account Vietnam's own interest and came at the price of "an ever deepening diplomatic and economic isolation from the world community." The Secretary declared that the Soviet Union, as the financier of the Vietnamese occupation of Kampuchea, had a special obligation to cooperate in the effort to remove this major source of international tension.

CREDENTIALS AT THE GENERAL ASSEMBLY

At the 36th session of the General Assembly, Vietnam challenged the credentials of Democratic Kampuchea, as it had at the two previous sessions. Vietnam proposed an amendment to the report of the Credentials Committee that would except Democratic Kampuchea from the list of delegations whose credentials were accepted. The amendment was voted on in the plenary Assembly on December

18. It failed by a vote of 37 in favor to 77 (U.S.) against, with 31 abstentions.

In a statement before the vote, Ambassador Kenneth L. Adelman emphasized that the United States supported acceptance of Democratic Kampuchea's credentials on technical grounds only. The credentials were in order; the Democratic Kampuchea regime had been accepted by previous General Assemblies; and there was no superior claimant to the seat. He noted that the Heng Samrin regime, installed by Vietnam and maintained in power by Vietnamese occupation forces in violation of the UN Charter and General Assembly resolutions, could not present such a claim. Ambassador Adelman continued:

In accepting the credentials of Democratic Kampuchea, the United States in no way indicates a diminution in its central and deep concern for human rights violations. These have been severe in Kampuchea over the years, a situation of enormous human tragedy. Unlike some governments which only now, after the invasion by Vietnam, raise human rights concerns, the United States spoke against those abuses in the Security Council, in the Human Rights Commission, and in the General Assembly both before and after the invasion. The regime that now seeks to supplant Democratic Kampuchea as representative of the country is also open to condemnation. It is the creation of and dependent for its survival on military forces of Vietnam, whose invasion and occupation of Kampuchea are in direct violation of internationally recognized principles.

This position on the technical question of credentials does not imply U.S. Government recognition of the Democratic Kampuchea regime. It does not imply approval of its heinous practices. On the contrary the United States condemns unequivocally the savage human rights violation that has taken place under the brutal Pol Pot regime. Nonetheless the United States will vote in favor of accepting the credentials of Democratic Kampuchea. The alternative is considerably worse. The United States urges all others who oppose gains through aggression to join it in so voting.

GENERAL ASSEMBLY CONSIDERATION

The General Assembly at each session since the Vietnamese invasion of Kampuchea in December 1978, has adopted by a large majority a resolution introduced by the Association of Southeast Asian Nations (ASEAN), comprising Indonesia, Malaysia, the Philippines, Singapore, and Thailand, that called for the withdrawal of foreign forces and establishment of a freely elected government in Kampuchea. At the 36th General Assembly the resolution contained the following major operative points:

- Withdrawal of foreign forces, the restoration of independence, sovereignty, and territorial integrity, and self-determination are the principle components of any just and lasting solution to the Kampuchean problem;

- General Assembly approval of the report of the International Conference on Kampuchea;

- The request that the Secretary General undertake a study on the possible future role of the United Nations in Kampuchea taking into account the mandate

of the Conference *Ad Hoc* Committee and the elements of negotiation in the Conference Declaration;

—The request that the Secretary General exercise his good offices to contribute to a comprehensive political settlement; and

—An appeal to all states of Southeast Asia and others concerned to attend future sessions of the Conference.

The resolution was adopted on October 21 by the largest majority yet, with a vote of 100 (U.S.) to 25, with 19 abstentions. (Resolution 36/5.)

On October 19, during debate on the item, Ambassador Kirkpatrick asserted the need to uphold the right of the Kampuchean and all other peoples to self-determination, to restore Kampuchea's sovereign identity and independence, and to restore stability and peace to Southeast Asia. She detailed the extent of the Vietnamese occupation, refuted Hanoi's claims that it had been "invited" to invade Kampuchea for humanitarian reasons, praised the efforts of donor countries and the UN High Commissioner for Refugees to save the Kampucheans from mass starvation, and endorsed the Declaration of the International Conference on Kampuchea. She commented that the Khmer people who are suffering from endless conflict and constant turmoil deserve the unremitting efforts of others to restore peace and independence.

Afghanistan

The Soviet Union's invasion of Afghanistan in December 1979 and its occupation of that country since that time received prominent attention at the 36th session of the General Assembly. The item was inscribed on the Assembly's agenda by a provision of the resolution on Afghanistan adopted at the 35th regular session (resolution 35/37) and was assigned to the plenary without reference to a committee. A draft resolution, sponsored by 45 countries representing a wide geographic distribution throughout the Third World, was introduced by Pakistan. Closely resembling the text adopted a year earlier, the draft called for the immediate withdrawal of the foreign (Soviet) troops from Afghanistan and reaffirmed the right of the Afghan people to self-determination. It spoke of the need for preserving the sovereignty, independence, and non-aligned character of Afghanistan, and it urged a political solution under the terms of the resolution and the creation of conditions enabling the voluntary return of the refugees.

The plenary overwhelmingly adopted the resolution without change on November 18 after five meetings of debate that began November 16. The recorded vote was 116 (U.S.) to 23, with 12 abstentions. (Resolution 36/34.) This represents a larger margin than the previous year's 111 (U.S.) to 22, with 12 abstentions. As before,

most of the negative votes were cast by countries known to be in the Soviet orbit.

Ambassador Kirkpatrick spoke for the United States during the final debate on November 18. While noting that the Soviet invasion had shattered the prospects for stability throughout the region of South Asia and the Persian Gulf, she stressed that its consequences were particularly severe in Afghanistan itself. About one-fifth of the Afghan population had fled the country as a result of Soviet repression, and whole villages had been destroyed. Ambassador Kirkpatrick also emphasized that the Kabul regime existed only by Soviet actions and had no legitimacy in the eyes of the Afghan people. Propped up by 85,000 Soviet troops, the regime and its Soviet masters nevertheless had failed to win control of perhaps 90% of the countryside. The poorly armed and poorly trained Afghan freedom fighters had spearheaded a spontaneous popular uprising. As a result, there were only two realities in Afghanistan: the Soviet occupation and the Afghan nation. Neither was compatible with the other. The Soviet Union could conquer Afghanistan only by eliminating the Afghan nation, and the world must not permit this to happen. Therefore, concluded the Ambassador, it was only fitting that the United Nations affirm in this resolution the most cherished purpose of the Afghan nation, which was to regain its ancient homeland so that it might once again be independent and live at peace.

South African Policies of Apartheid

SECURITY COUNCIL

During 1981 the Security Council held three formal meetings directly related to the South African policies of apartheid, two of which resulted in statements by its President on behalf of the Council.

The first was held on February 5 and involved pleas for clemency in the case of three African National Congress (ANC) members sentenced to death in South African court in connection with their involvement in the 1980 attack on a bank in the Pretoria suburb Silverton and in a raid on a police station in Northern Transvaal. At a brief meeting the Council President read aloud a statement on behalf of the Council that resulted from informal consultations. The President expressed grave concern over the death sentences recently passed on Ncimbithi Johnson Lubisi, Petrus Tsepo Mashigo, and Naphtali Mana—which might shortly be considered by an appeals court—and urged the South African Government to take into

account the concerns expressed for the lives of these three men, to avert further aggravating the situation in South Africa.

In response to similar circumstances in which the Transvaal Division of the Pretoria Supreme Court on August 19, 1981, passed death sentences on three ANC members—Anthony Tsotsobe, Johannes Shabangu, and David Moise—the Security Council met on August 27. At that meeting Council members individually expressed their concern over this matter, but it did not result in a statement by the Council's President on behalf of its members. In his statement the U.S. Representative, Ambassador Lichenstein, urged the South African Government to take serious account of the concern expressed by the Security Council not only regarding the lives of these three men but also regarding the need not to further aggravate and enhance the tensions within South Africa.

These cases still were being appealed before the South African court at the end of 1981.

The Security Council met December 15 as a result of South Africa's action of December 4 proclaiming the independence of the homeland or "bantustan" of Ciskei. The United States and the United Nations support the view that South Africa is a single unitary state and accord no recognition to any of the "independent" homelands. As a result of consultations held before the meeting, the Council President made a statement on behalf of the Council. Noting South Africa's December 4 proclamation and recalling Security Council resolution 417 (1977), in which it demanded that South Africa abolish the policy of bantustanization, the Council condemned the proclamation of the "independence" of Ciskei and declared it invalid. The final paragraph of the statement called upon all governments to deny any form of recognition to the so-called "independent" bantustans.

GENERAL ASSEMBLY

The General Assembly began consideration of South Africa's apartheid policies in plenary session on November 27 without prior reference to a main committee. The debate opened with the introduction of the annual report of the Special Committee Against Apartheid, which reviewed the past year's developments concerning South African apartheid policies.⁶ The report recommended, *inter alia*, that the Security Council impose comprehensive and mandatory sanctions against South Africa.

⁶ The Special Committee Against Apartheid was established in 1962 as the "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa." The 18 members in 1981 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syria, Trinidad and Tobago, and Ukrainian S.S.R.

The Special Committee also submitted two special reports: the first outlined the recent developments concerning relations between Israel and South Africa, and the second consisted of a progress report of the Special Committee's work on the International Year of Mobilization for Sanctions Against South Africa.

At nine meetings between November 27 and December 17, representatives from 80 states spoke on the question of apartheid. All speakers strongly condemned apartheid, with a majority calling for the strengthening of supervision of the arms embargo on South Africa imposed by the Security Council in 1977. A majority of speakers condemned the South African Government's policies as a gross violation of human rights and demanded the imposition of sanctions and the severance of all economic and political ties.

In his speech to the General Assembly on November 30, Ambassador Kenneth Adelman reiterated U.S. opposition to apartheid as being morally repugnant and reprehensible because it "violates the natural rights of black, colored, and Asian peoples; as it denies equal access to freedom, economic opportunity, and equal protection of the law; and as it allows a minority to dictate the rules of that state."

On December 16 and 17, 16 draft resolutions concerning South African policies of apartheid were introduced in the Assembly and were adopted on December 17.

The first draft resolution, entitled the "Situation in South Africa," introduced by Nigeria and ultimately sponsored by 39 states, was adopted by a vote of 115 to 12 (U.S.), with 16 abstentions. (Resolution 36/172 A.)

The resolution, *inter alia*, condemned the apartheid policies of South Africa, commended those who have fought against it, and condemned the continuing collaboration of "certain Western states and their transnational corporations with the racist regime of South Africa" which prevented the eradication of apartheid. The resolution specifically mentioned the U.S. Government as encouraging South African acts of aggression and protecting South Africa from international sanctions through its pronouncements, policies, and actions, and called upon all states, particularly the United Kingdom, the United States, the Federal Republic of Germany, France, and Israel to end all collaboration with South Africa. Proclaiming support for the national liberation movements of South Africa as the authentic representatives of the South African people, the resolution appealed to states to provide all necessary assistance to these movements. The resolution further urged the Security Council to impose comprehensive and mandatory sanctions against South Africa.

Introduced by India the second draft resolution was entitled "International Year of Mobilization for Sanctions Against South Africa." Sponsored by 52 countries the resolution declared 1982 as the International Year of Mobilization for Sanctions Against South

Africa and requested the Special Committee on Apartheid to take all appropriate action to promote the widest and most effective observance of the Year. The resolution also requested the Secretary General to promote its observance, as well as provide all necessary assistance to the Special Committee in the discharge of its responsibilities. The resolution was adopted by a vote of 130 to 8 (U.S.), with 8 abstentions. (Resolution 36/172 B.)

Nigeria introduced the third draft resolution, "Acts of aggression by the apartheid regime against Angola and other independent African states." The resolution, sponsored by 48 states, condemned South Africa's "unprovoked acts of aggression . . . against Angola, Seychelles, and other independent African states" and urged the Secretary Council to adopt effective measures, under Chapter VII of the Charter of the United Nations, to prevent breaches of the peace by the apartheid regime. The resolution further demanded the immediate withdrawal of all South African troops from Angola and that South Africa pay full compensation for the damages caused by its aggression. The resolution was adopted by a vote of 136 to 1 (U.S.), with 8 abstentions. (Resolution 36/172 C.)

The fourth draft resolution, introduced by Ghana and sponsored by 33 states, entitled "Comprehensive and mandatory sanctions against South Africa," condemned the "continuing economic and other collaboration" of the United States, the United Kingdom, the Federal Republic of Germany, and Israel with South Africa. The resolution requested the Security Council to adopt comprehensive and mandatory sanctions against the South Africa regime under Chapter VII of the UN Charter and requested member states of the international agencies and organizations to take the necessary steps to deny all trade and commercial facilities and terminate loans and credit to South Africa. The resolution was adopted by a vote of 109 to 18 (U.S.), with 13 abstentions. (Resolution 36/172 D.)

A draft resolution introduced by Cuba on military and nuclear collaboration with South Africa was sponsored by 34 states. The resolution, *inter alia*, condemned (1) "the collusion by the governments of certain Western countries and other states, particularly those of the United States of America, the Federal Republic of Germany, and Israel, with the racist regime of South Africa in the nuclear field"; (2) "maneuvers to create," with South Africa, a South Atlantic Treaty Organization; and (3) the violation of the arms embargo and continuing collaboration in the military and nuclear fields by any state, "in particular certain Western states and Israel." The resolution urged the Security Council to take immediate steps to ensure full implementation of the arms embargo imposed by its resolution 418 (1977) of November 4, 1977, and secure the immediate cessation of any military and nuclear collaboration with South Africa. The United States requested a separate vote on that para-

graph of the resolution charging it with nuclear collusion. The paragraph was retained by a vote of 56 to 24 (U.S.), with 51 abstentions. The resolution as a whole was adopted by a vote of 119 to 19 (U.S.), with 4 abstentions. (Resolution 36/172 E.)

Nigeria introduced a draft resolution on behalf of 52 states that urged the Security Council to consider effective measures to reinforce and strengthen the arms embargo against South Africa and called on the Secretary General to ensure more effective monitoring of the arms embargo. The resolution was adopted by a vote of 138 to 0, with 7 (U.S.) abstentions. (Resolution 36/172 F.)

Algeria introduced a draft resolution, sponsored by 52 states, which reiterated a request that the Security Council consider urgently a mandatory embargo on the supply of petroleum and petroleum products to South Africa under Chapter VII of the UN Charter. The resolution also urged states to take effective measures to ensure implementation of such an oil embargo against South Africa. The resolution was adopted by a vote of 126 to 7 (U.S.), with 12 abstentions. (Resolution 36/172 G.)

A draft resolution entitled "International Conference of Trade Unions on Sanctions Against South Africa" was introduced by Guinea on behalf of 57 countries. The resolution requested the Special Committee on Apartheid to take all necessary steps, in cooperation with the OAU, the ILO, the UN Council for Namibia, and the Organization of African Trade Union Unity, to organize in 1982 an International Conference of Trade Unions on Sanctions Against South Africa. The Secretary General was requested to assist the Special Committee in the organization of the conference. The resolution was adopted by a vote of 129 to 2 (U.S.), with 12 abstentions. (Resolution 36/172 H.)

Barbados introduced a resolution entitled "Academic, cultural and sports boycotts of South Africa," which was sponsored by 39 states. The resolution emphasized the urgent need for an international convention against apartheid in sports and condemned in particular the United States and New Zealand for permitting tours by Springbok rugby teams despite widespread public protest in their countries and appeals by the Special Committee. The resolution was adopted by a vote of 124 to 5 (U.S.), with 14 abstentions. (Resolution 36/172 I.)

Finland introduced a draft resolution on political prisoners in South Africa. Ultimately sponsored by 68 states the resolution expressed alarm at the imposition of death sentences on six "freedom fighters" and the recent "assassination" of Attorney Griffith Mxenge and other opponents of the apartheid regime and demanded the release of all political prisoners in South Africa. The United States joined in the consensus adoption of the resolution. (Resolution 36/172 J.)

Indonesia introduced a draft resolution on behalf of 63 states entitled "Women and children under apartheid," which encouraged

the Special Committee Against Apartheid to intensify activities in support of women and children oppressed by apartheid and appealed to all governments and organizations to provide contributions and assistance to South African women and children in their struggle for liberation. The resolution was adopted by a vote of 145 to 0, with 2 (U.S.) abstentions. (Resolution 36/172 K.)

A draft resolution entitled "Public information and public action against apartheid and role of mass media in the struggle against apartheid" was introduced by Egypt and sponsored by 49 states. The resolution requested the Special Committee Against Apartheid to take all appropriate action toward the implementation of the recommendations of the International Seminar on Publicity and Role of Mass Media in the International Mobilization Against Apartheid. The resolution also requested the Secretary General to lend his cooperation to the Special Committee in investigating and publicizing the collaboration of certain non-governmental organizations with the South African regime and appealed to all governments to contribute to the Trust Fund for Publicity Against Apartheid. The resolution was adopted by a vote of 126 to 2 (U.S.), with 19 abstentions. (Resolution 36/172 L.)

The Sudan introduced a draft resolution, sponsored by 48 states, on relations between Israel and South Africa. The resolution strongly condemned the "continuing and increasing collaboration by Israel with the racist regime of South Africa" and demanded that Israel end all forms of collaboration with South Africa, particularly in the military and nuclear fields. The resolution also requested the Special Committee Against Apartheid to keep the matter under review and report to the General Assembly and the Security Council as appropriate. The resolution was adopted by a vote of 104 to 19 (U.S.), with 17 abstentions. (Resolution 36/172 M.)

Nigeria introduced a resolution, sponsored by 50 states, endorsing the work program of the Special Committee Against Apartheid and requesting that the Special Committee intensify its promotion of the international campaign against apartheid. The resolution also decided to make a special allocation of \$300,000 to the Special Committee in part to enable national liberation movements to participate in conferences on apartheid. The resolution was adopted by a vote of 139 to 1 (U.S.), with 5 abstentions. (Resolution 36/172 N.)

Sweden introduced a draft resolution, sponsored by 50 states, that urged the Security Council to consider the issue of investments in South Africa with a view to taking effective steps to end further investments in and financial loans to South Africa. The resolution was adopted by a vote of 138 to 1 (U.S.), with 7 abstentions. (Resolution 36/172 O.)

A draft resolution on the "United Nations Trust Fund for South Africa," introduced by Norway and sponsored by 51 countries,

commended the Secretary General and the Committee of Trustees of the UN Trust Fund for South Africa for their efforts to "promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia" and thanked all contributors to the Trust Fund. An appeal was made for increased contributions to the Trust Fund and other voluntary agencies engaged in assistance to the victims of apartheid. The United States joined in the consensus adoption of the resolution. (Resolution 36/172 P.)

On December 17 the U.S. Representative, Ambassador Adelman, spoke in explanation of vote on all 16 resolutions. After reiterating the strong U.S. opposition to apartheid, Ambassador Adelman stated that the United States would have to oppose certain of the draft resolutions because of their intemperate language and impracticable proposals. He regretted that the framers of these resolutions sought to attack his Government rather than enlist its cooperation. He rejected the allegations of U.S. military and nuclear collaboration with South Africa, noting that the United States was the first country to impose an arms embargo against South Africa and that it neither exports nuclear fuel nor provides nuclear facilities to South Africa. He rejected the charge that the United States was forming a "South Atlantic Treaty Organization" with South Africa. The United States opposed sanctions and boycotts against South Africa, because they were ineffective and prevented productive actions from being taken. Ambassador Adelman condemned the South African action in Angola and reaffirmed his government's involvement in seeking peace and stability in the region.

Other African Questions

THE COMORIAN ISLAND OF MAYOTTE

In referendums in December 1974 and February 1976, the largely Christian population of Mayotte indicated a preference to remain a part of France instead of gaining independence as a part of the predominantly Moslem Comoros. The United States recognized the Comoros in August 1977 without prejudice to the territorial dispute between France and the Comoros. The question of the Comorian Island of Mayotte has been on the General Assembly's agenda since 1976.

At its 36th session, on December 10, the General Assembly considered and adopted a resolution concerning the island of Mayotte. The resolution, sponsored by 15 states, affirmed the

sovereignty of the Islamic Republic of the Comoros over the island of Mayotte and invited the French and Comorian Governments to resume and actively pursue negotiations with a view to ensuring the effective return of the island of Mayotte to the Comoros as soon as possible. The resolution was adopted by a vote of 117 to 1 (France), with 20 (U.S.) abstentions. (Resolution 36/105.)

CONTINENTAL SHELF DISPUTE BETWEEN MALTA AND LIBYA

At the request of Malta the Security Council convened July 30, 1981, to consider the Maltese complaint concerning Libya's refusal to submit to the International Court of Justice the dispute over delineation of the continental shelf between the two countries. A 1976 agreement between the two countries called for the Court to decide the dispute. Malta, which remained willing to submit the case to the Court, brought the question to the Council to demonstrate the seriousness of the situation and to point out Libya's attempts to change the 1976 agreement by adding that no oil drilling could be allowed until the Court had concluded its consideration of the matter. Malta welcomed the Secretary General's Special Representative's 1980 mission to Libya and Malta but complained that the Council had not taken Malta's concerns seriously.

In response Libya stated that it wished to conclude an agreement with Malta; the Libyan missions to Malta in March and July were a demonstration of Libya's earnestness. Libya recommended that bilateral negotiations continue and that they not be delayed through "the creation of unnecessary obstacles."

In a report to the Security Council dated December 9 the Secretary General reviewed the history of the dispute and his own efforts to resolve it. He concluded that it would be impossible for Libya and Malta to submit the agreement to the Court as long as they disagreed on the Libyan instrument of ratification's reference to a condition regarding drilling.

The Secretary General stated that one possible course of action might be to request the Court, in conjunction with the submission of the case, to indicate "provisional measures which ought to be taken to preserve the respective rights of either party." If both were to agree to the arrangement, their legal obligations would be safeguarded until the dispute definitely was resolved.

SEYCHELLES COMPLAINT

In a letter to the Security Council President dated December 8, 1981, Seychelles requested that the Security Council be convened urgently to consider the invasion of Seychelles by mercenaries who landed at Seychelles International Airport on November 25, 1981.

On December 15 the Seychelles explained to the Council in further detail the mercenary invasion. According to its account a group of 44 mercenaries arrived on November 25 in Seychelles from South Africa via Swaziland, purportedly to participate in a "beer drinking convention." When this group was passing through customs, Seychelles officials uncovered a false-bottomed bag containing a sub-machine gun. When the mercenaries realized that their plot had been discovered, they forcibly took control of the airport and took all 70 bystanders at the airport hostage. An Air India flight was commandeered by the mercenaries and forced to transport them to Durban, South Africa. A group of 44 mercenaries left on the aircraft for Durban, taking with them one dead. A "rear guard" of the force, some of whom had infiltrated the country before the arrival of the 44, was left behind. Six mercenaries were captured and detained.

Seychelles informed the Council that the attack resulted in loss of life, injuries, and hardship to the hostages and to the whole population of Seychelles. Also damage to the airport had been extensive.

The Seychelles Representative stated there was every reason to believe that South Africa may have been involved in the attack. Despite stringent South African antihijacking laws, 39 of the individuals on arrival in Durban were set free, and only 5 were charged with kidnaping and then set free on minimal bail. Seychelles requested the Security Council to establish a commission of inquiry composed of Council members to investigate the origin, background, and financing of the invasion; to assess and evaluate economic damage; and to report back to the Security Council.

Speaking on behalf of the African Group, the Botswanan Representative said that although there was reason to suspect South African involvement in the invasion, an investigation should be undertaken to establish the facts.

By a unanimous vote the Council then approved a resolution which, *inter alia*, condemned the aggression against Seychelles and the subsequent hijacking and decided to send a commission of inquiry, composed of three members of the Council, to investigate the aggression and the resulting damages and report back to the Council no later than January 31, 1982. (Resolution 496 (1981).)

Following the vote the U.S. Representative, Ambassador Kirkpatrick, observed that were this a purely internal affair, presumably the Council would not have taken the action it did. She stated that the Security Council and the General Assembly should think beyond the specific case to the implications of a specific action for future activities. Ambassador Kirkpatrick noted that by establishing an investigatory commission, the Council might be pre-judging whether the aggression involved another state. She also questioned whether it was legitimate for a government which survives a coup attempt to

seek an investigation and redress in the United Nations. This begged the question whether a government which did not survive a coup could seek an inquiry and damages.

On December 24 the Secretary General circulated a note in accordance with resolution 496. He reported that following consultation with Council members, the commission of inquiry would be composed of Ireland, Japan, and Panama.

Cyprus

Intercommunal talks between the Greek Cypriot and Turkish Cypriot communities, which resumed in 1980, continued during 1981. The United Nations Peacekeeping Force in Cyprus (UNFICYP) was extended for two 6-month periods.

INTERCOMMUNAL TALKS

The Intercommunal talks being conducted under the aegis of the UN Secretary General with the participation of his Special Representative in Cyprus, Mr. Hugo Gobbi, were pursued vigorously throughout 1981. Secretary General Waldheim was involved actively in promoting the talks in meetings in Europe in January with the Turkish Cypriot leader, Mr. Denktash, Turkish Prime Minister Uluusu and Foreign Minister Turkmen, and Greek Foreign Minister Mizotakis. In February and May he met with Cypriot Foreign Minister Rolandis. The Secretary General met in New York in April with Foreign Minister Turkmen. A hiatus in the talks coincided with Turkish Cypriot elections at mid-year. A major development in the intercommunal talks occurred in August when the Turkish Cypriot side presented a comprehensive proposal. This proposal and the Greek Cypriot response and counterproposal were the focus of attention in August and September.

A further development during the year related to, but not a part of, the intercommunal talks was agreement by the two Cypriot communities in April on the establishment of a Committee on Missing Persons. This Committee first met in July and early ran into procedural difficulties that prevented it from beginning substantive work.

SECURITY COUNCIL CONSIDERATION

The Secretary General reported to the Security Council on the UN peacekeeping operation in Cyprus on May 27 and on December 1. In both reports he concluded that the peacekeeping force continued to

perform a needed and important function and that the UNFICYP mandate should be renewed for additional 6-month periods. Representatives of the two Cypriot communities and of Greece and Turkey took part in the debate. On June 4 the Security Council, by a vote of 14 (U.S.) to 0, with China not participating, adopted a resolution extending the mandate of UNFICYP for the 6-month period ending December 15, 1981. (Resolution 486 (1981).)

On December 14 the Security Council voted unanimously, with China participating for the first time, to extend the mandate until June 15, 1982. (Resolution 495 (1981).)

The UNFICYP forces continued to decrease slightly, down to 2,381 in May and to 2,374 in December. This compared with 2,491 in 1980. Nevertheless this UN operation continued to accrue a deficit. In his first report the Secretary General noted the deficit stood at \$85.1 million, and it was up to \$92.5 million in December. This deficit increase occurred despite the continued absorption by troop-contributing countries of some of the costs of their participation. Not all efforts to reduce costs by trimming the size of the contingents were realized because troop-contributing countries, which already were absorbing a large portion of the costs, decided not to reduce some of their forces. During the year the United States made a \$9 million voluntary contribution.

GENERAL ASSEMBLY CONSIDERATION

At the 36th session of the General Assembly, in view of the constructive course of the intercommunal talks, the option of seeking General Assembly consideration was not exercised.

DISARMAMENT AND ARMS CONTROL

Disarmament Commission

The UN Disarmament Commission (UNDC), composed of all UN member states, met May 18–June 5, 1981, at UN Headquarters under the Chairmanship of Mr. Peter Michaelsen (Denmark). The Commission, a deliberative body subordinate to the General Assembly, held 12 plenary and 4 informal meetings, as well as numerous working group sessions, but was unable to achieve significant agreement. The items on the Commission's agenda included:

- (1) Consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament;
- (2) Reduction of military budgets;
- (3) Elaboration of a general approach to the study on all aspects of the conventional arms race and on disarmament relating to conven-

tional weapons and armed forces, as well as its structure and scope; and

(4) South African nuclear capability.

The Commission established an informal, open-ended working group to elaborate the general approach to a conventional weapons study, which the General Assembly already had approved in principle. This working group, however, failed to reach a consensus on a mandate for such a study. The Commission therefore recommended that states consider the matter further with a view to reconciling the differing views. The U.S. Representative, Charles C. Flowerree, stated in his closing remarks that he found it strange that some countries that promoted arms reductions by others could not see their way clear to accept a conventional weapons study.

A similar result occurred on the question of reduction of military budgets. A background paper compiled by the chairman of an informal working group on this item, containing some principles and ideas put forward by certain delegations concerning the freezing and reduction of military expenditures, was annexed to the Commission's report to the General Assembly, with the recommendation that the Commission continue its consideration of this question at its next session. The U.S. Representative stressed the importance of the standard format for reporting military expenditures to the United Nations, which would permit comparability and openness of military budget data, and urged states to submit such data as requested by the General Assembly. He also pointed to the contrast between Soviet claims of reduced military expenditures and the reality of the Soviet's recent major military buildup and noted Soviet failure to submit data to the United Nations.

An effort of a few delegations to gain consensus on a lengthy and tendentious document on the "nuclear arms race" item failed when the United States would not join the consensus, noting that the recommendations in the UNDC report were derived from a working paper introduced only in the closing days of the session and that the Commission's deliberations "were insufficiently detailed to permit the development of considered judgments on the important and complicated issues covered by this item."

A contentious discussion on the South African item led to inclusion in the annexes of the UNDC report of two proposals on which consensus had not been reached. The United States pointed out that it had not supplied nuclear material or technology to South Africa since 1975 and found the policy of apartheid repugnant. The United States and several other delegations noted, however, that the proposed recommendations had been submitted late in the proceedings, that other forums were more appropriate for discussion of many of its aspects, and that all states have the right to develop nuclear energy for peaceful advancement.

Committee on Disarmament

The 1981 two-part session of the Committee on Disarmament (CD) was held in February 3–April 24 and June 11–August 21 in Geneva. At its first session in 1979, the Committee, which is the principal international forum for the negotiation of multilateral arms control and disarmament agreements, assumed the functions of a series of predecessor bodies. With a membership of 40⁷, including the 5 nuclear weapons states, the CD was preceded by the 27-member Conference of the Committee on Disarmament (CCD), which met from 1969 to 1978, and the Eighteen-Nation Disarmament Committee (ENDC), which was active from 1961 to 1969. The ENDC, in turn, was an outgrowth of a 10-nation committee and less formal consultative groups involving mainly the major powers.

While an autonomous body, the CD is linked to the United Nations through the personal representative of the UN Secretary General, who also serves as the Secretary of the CD. In addition, the CD reports annually to the UN General Assembly, and resolutions adopted at the General Assembly frequently request the Committee to take up specific matters within its competence.

In addition to the 40 members of the Committee, the CD Rules of Procedure provide that non-members, on request, may be permitted to submit papers and make statements at formal plenary meetings, as well as at meetings of CD subsidiary bodies. During 1981 the following non-members attended plenary meetings, and in some cases participated in plenary and working group discussions of certain agenda items: Austria, Chile, Denmark, Dominican Republic, Finland, Greece, Holy See, Iraq, Madagascar, Norway, Spain, Switzerland, Turkey, United Arab Emirates, and Vietnam.

Ambassador Flowerree served as the U.S. Representative to the Committee during 1981, leading a delegation drawn from the U.S. Arms Control and Disarmament Agency, Department of State, Department of Defense, Department of Energy, and the Office of the Joint Chiefs of Staff. In addition to the 49 formal plenary meetings held during 1981, the CD held 45 informal meetings on a variety of subjects, including organizational questions. A wide range of issues was discussed, primarily on the agenda items dealing with nuclear disarmament, nuclear test ban, chemical weapons, radiological weapons, security assurances to non-nuclear-weapon states, a comprehensive program of disarmament, and new types of weapons of mass destruction.

⁷ The 40 members of the CD are Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.

AD HOC WORKING GROUPS

On February 12, 1981, the Committee decided to reestablish *ad hoc* working groups (committees of the whole) on chemical weapons, radiological weapons, and security assurances to non-nuclear-weapon states to enable these groups to continue their work on the basis of their former mandates agreed upon at the 1980 CD session. The Committee also asked its *ad hoc* working group on a comprehensive program of disarmament, established during the 1980 CD session to complete a draft program before the 1982 second special session of the UN General Assembly devoted to disarmament, to continue its work.

Chemical Weapons

The reestablished working group on chemical weapons held 23 meetings during the 1981 session. The group discussed in detail the issues to be dealt with in a multilateral convention on the prohibition of the development, production, and stockpiling of chemical weapons, and on their destruction. These discussions continued to demonstrate the seriousness with which nations regard this matter and revealed agreement on many questions but important differences on certain issues. The working group reported "that the prohibition of chemical weapons and their destruction represented one of the most urgent measures of disarmament . . ." and recommended that the CD at the beginning of its 1982 session, reestablish the working group with an appropriately revised mandate, which would enable the Committee to build upon the areas of convergence and to resolve the differences of view identified during the 1980 and 1981 sessions.

Radiological Weapons

On July 9, 1979, the Soviet Union and the United States submitted to the CD a proposal on major elements of a treaty prohibiting the development, production, stockpiling, and use of radiological weapons. Subsequently, in 1979 and 1980, the UN General Assembly adopted resolutions calling on the CD to achieve agreement, through negotiations, on a radiological weapons convention.

During its 1981 session the CD reestablished an *ad hoc* working group to continue the negotiations on a draft treaty begun at the 1980 session. In 21 meetings the working group made further efforts to resolve existing differences on such a convention's provisions. While some progress was made, considerable work remained to be done, particularly on such important and complex issues as the scope of the convention, the definition of radiological weapons, and proce-

dures for verifying compliance. The working group recommended that it be reestablished to continue the negotiations at the beginning of the CD's 1982 session.

Comprehensive Program of Disarmament

Negotiations on a comprehensive program of disarmament, as envisaged by the 1978 special session of the General Assembly devoted to disarmament, continued in another CD *ad hoc* working group. Many issues related to the development of this program were considered inconclusively during the 24 meetings of the working group held during 1981. The CD's report to the General Assembly recommended, therefore, that this work resume on January 11, 1982, 3 weeks before commencement of the 1982 CD session, as the CD had been called upon to conclude a draft program in time for its submission to the second special session of the General Assembly devoted to disarmament, scheduled for June 7–July 9, 1982.

Negative Security Assurances

The working group to consider effective international arrangements to ensure non-nuclear-weapon states against the use of threat of nuclear weapons use continued its consideration of this matter, begun in 1979. No consensus emerged on how to arrive at such arrangements during the 23 meetings of the reestablished working group held in 1981. However, the positions of members were further clarified, contributing to an increased understanding of the various positions and of the rationale behind them. In its annual report to the General Assembly the CD reiterated the need to reach agreement on assurances to non-nuclear-weapon states and recommended that a working group be established to further consider various alternative approaches to this question.

OTHER AGENDA ITEMS

Outside the framework of any working group, the CD devoted considerable time to discussion of a nuclear test ban, nuclear disarmament, and new types of weapons of mass destruction.

Nuclear Test Ban

As a subject of major interest to Committee members, the question of a nuclear test ban was the focus of attention in several informal meetings, as well as in a number of formal plenary meetings. The Committee took up both the substantive aspects of this question and several proposals, on which no consensus was reached, to establish

an *ad hoc* working group to negotiate a nuclear test ban. The CD's report to the 36th General Assembly session noted that the Committee, "recognizing that this item is of the highest priority, intends during its next session to pursue efforts toward the conclusion of a nuclear test ban treaty . . ." The U.S. delegation, however, reserved its position on this statement, indicating that it could not state what the U.S. intention might be on this issue at the time of the Committee's next session.

The Committee's *Ad Hoc* Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events held its 11th and 12th sessions in February and August 1981 in Geneva. The group was established in 1976 under a mandate from the CD's predecessor body, the CCD, to design a global network of detection and identification of seismic events. Its most recent work, in which the United States has participated actively, has focused on an international experiment in the exchange of seismic data, making use of the communications network operated by the World Meteorological Organization (WMO).

Nuclear Disarmament

In addition to formal plenary meetings, the Committee held several informal meetings to consider the agenda item on the "cessation of the nuclear arms race and nuclear disarmament." These discussions touched on many aspects of this broad question, including the doctrine of deterrence and other theories concerning nuclear weapons and the prerequisites for negotiations on nuclear disarmament. Proposals were advanced to establish an *ad hoc* working group on nuclear disarmament, but no consensus was reached on these proposals. The Committee agreed to resume consideration of these matters at its 1982 session.

The U.S. delegation participated actively in these discussions, emphasizing its belief that efforts should be undertaken to reduce tensions and the level of nuclear confrontation. It pointed out, however, that deterrence based on nuclear weapons has been a critical factor in preserving stability and peace. The United States also reiterated its belief that negotiations on limitation and reduction of nuclear weapons should be undertaken by the nuclear-weapon states concerned, and drew attention to the complexities of the issues involved and the difficulties in trying to undertake such negotiations in the CD.

The Soviet Union proposed, but failed to gain consensus on, the establishment of an *ad hoc* working group to negotiate a convention prohibiting the production, stockpiling, deployment, and use of "nuclear neutron weapons" (enhanced radiation warheads). The United States opposed this proposal, pointing out that the enhanced

radiation weapon was only one type of nuclear weapon and, as such, did not warrant special treatment. In addition, the United States pointed out that the purpose of this weapon was to deter mass armored attack, and that it had been designed not to make nuclear war more thinkable, but to make aggression less so.

New Types of Weapons of Mass Destruction

In addition to its negotiations on a convention banning radiological weapons, the Committee considered the general question of new types of weapons of mass destruction and new systems of such weapons. In response to a proposal by Hungary, the CD held three informal meetings with experts on this subject. In addition, a Soviet proposal to establish an *ad hoc* working group of experts to prepare a draft comprehensive agreement on weapons of mass destruction and to consider the question of concluding special agreements on individual types of weapons was discussed, but no consensus was reached.

The United States and others continued to express the view that these weapons should be dealt with on a case-by-case basis, after such weapons are identified, because a meaningful prohibition can be achieved only through definition of specific weapons in separate agreements. Such agreements also would need to include effective verification provisions for the particular weapon involved.

General Assembly

At its 36th session the General Assembly adopted 48 resolutions on disarmament, dealing with such matters as the reduction of military budgets; chemical weapons; comprehensive test ban; nuclear-weapon-free zones in Latin America, Africa, the Middle East, and South Asia; and the prohibition of new types of weapons of mass destruction. Most of the resolutions adopted reaffirmed the Assembly's past actions on disarmament. The Assembly adopted all of the resolutions on December 9; the First Committee had considered and recommended all of these resolutions except one. Of the 48 resolutions, 30 are discussed below.

SPECIAL SESSION ON DISARMAMENT

The UN General Assembly will hold its second special session devoted to disarmament (SSOD II) at UN Headquarters June 7–July 9, 1982, in New York. The first special session on disarmament in 1978 (SSOD I) established an agenda for progress in international arms control. The Final Document of that session initiated principles and goals of arms control, adopted a program of action, and set up machinery to deal systematically with arms control issues.

The United States is convinced that the goals identified by SSOD I essentially were correct and that the disarmament machinery established is adequate to the task of furthering multilateral arms control. Accordingly, rather than rewrite the SSOD I Final Document, the United States believes that SSOD II should turn its attention to identifying realistic and verifiable measures that would help relax international tensions and begin to restore the level of confidence required for effective arms control negotiations.

On November 10 Yugoslavia introduced a procedural draft resolution endorsing the report of the Preparatory Committee for SSOD II and requesting all member states to submit to the Secretary General, not later than March 31, 1982, views on substantive issues related to SSOD II. The draft resolution was approved by the First Committee on November 25 and adopted by the General Assembly on December 9, in both cases without a vote. (Resolution 36/81 A.)

On November 17 the plenary Assembly adopted without a vote a draft resolution initially introduced by Yugoslavia in the First Committee, and approved there, entitled "Implementation of the recommendations and decisions of the tenth special session," the first special session devoted to disarmament. The resolution called on the General Assembly to keep under review at SSOD II the recommendations and decisions on disarmament issues adopted at SSOD I. (Resolution 36/92 M.)

REDUCTION OF MILITARY BUDGETS

The Assembly adopted two resolutions on the question of "Reduction of military budgets."

On November 18 Romania introduced in the First Committee on behalf of 11 other countries a resolution on the "Reduction of Military Budgets." This resolution, similar to one introduced by Romania at the 35th General Assembly, *inter alia*, reaffirmed the "urgent need to reinforce the endeavors of all states and international action in the area of reduction of military budgets, with a view to reaching international agreements to freeze, reduce, or otherwise restrain military expenditures"; called on all states to exercise self-restraint in their military expenditures "with a view to reallocating the funds thus saved to economic and social development"; and requested the UN Disarmament Commission at its 1982 session to continue consideration of this item "with a view to identifying and elaborating on the principles which should govern further actions of states in the field of the freezing and reduction of military expenditures, keeping in mind the possibility of embodying such principles into a suitable document at an appropriate stage." (Resolution 36/82 A.)

On November 18 Sweden also introduced a resolution in the First Committee, sponsored by 19 countries, requesting member states to

report their military expenditures to the Secretary General, making use of a standard reporting instrument designed to permit meaningful comparison of information on national military expenditures. In 1978 the General Assembly had authorized a practical test of a voluntary system for reporting military budgets. In October 1980 an *ad hoc* group of experts on military budgeting completed an analysis of data supplied by the United States and a number of other member states and submitted their recommendations on the completed test to the General Assembly. A Swedish-sponsored resolution adopted at the 35th General Assembly authorized formation of another *ad hoc* group of qualified experts to continue to refine the reporting instrument and examine and suggest solutions to the questions of comparing military expenditures among different states and between different years and to the problems of verification. The report of this group was requested before June 1982, when SSOD II was to be held. The resolution, *inter alia*, recalled that the first national reports of military budgets had been received, stressed the need to increase the number of reporting states, and requested the Secretary General to examine ways and means to make the collection and assembling of such data an integral part of the regular UN statistical services and to arrange and publish these data according to statistical practice. (Resolution 36/82 B.)

The United States supported both resolutions. On November 20, in explanation of the U.S. vote, Ambassador Adelman said:

The United States has contributed actively over the years, and continues today to contribute, to the work of the United Nations aimed toward the goal of restraining and reducing military expenditures and redirecting scarce resources to economic and social development. We believe UN resolutions, especially initiatives aimed at greater openness in reporting on military budgets, are an essential part of efforts to promote military restraint and to control military budgets.

With specific reference to the resolution introduced by Sweden, Ambassador Adelman urged all countries to participate in the reporting of military budgets and noted that:

Over the past decade the United States has supported a series of resolutions initiated by Sweden and a broad group of neutral and non-aligned states designed to prepare the way for standardized reporting, to the Secretary General by all member states, of national military expenditures. That initial goal is now nearer achievement. For the first time, in 1981, a number of states submitted national military expenditure data to the Secretary General in a standard format approved by the General Assembly. The United States submitted detailed data on its expenditures and further progress is being made in the use of standardized reporting. Another panel of experts is studying problems of comparing and verifying national military expenditure data and the Secretary General will report on that work to the second special session on disarmament.

Even with the active cooperation of all member states—an achievement far from having been realized today—agreement on reduction of military expenditures may

seem remote. Nonetheless real steps to building mutual confidence can be registered, on a worldwide, regional, or bilateral basis, if states will pursue a course of greater openness and restraint while taking into account their legitimate security concerns.

In addressing the resolution introduced by Romania, Ambassador Adelman stated:

. . . In the light of the long and consistent record of secrecy with regard to the military expenditures of some states . . . my Government considers it of exceptional importance that any resolution on the subject of reduction of military budgets explicitly and prominently recognizes the importance of verification measures . . . -the need for verification has regrettably been relegated to a position of lesser importance by being placed in the preambular section. . . .

On November 20 the First Committee approved both resolutions, the Swedish-sponsored resolution by a vote of 102 (U.S.) to 0, with 5 abstentions, and the Romanian-sponsored resolution without a vote. In the plenary Assembly the Romanian-sponsored resolution was again adopted without a vote, and the Swedish-sponsored resolution was adopted by a vote of 120 (U.S.) to 0, with 19 abstentions. (Resolutions 36/82 A and 36/82 B.)

CHEMICAL WEAPONS

In 1980 New Zealand, noting recent reports alleging the use of chemical weapons (CW) in certain military operations in various regions of the world, introduced a resolution on chemical and bacteriological weapons. The resolution was adopted over the objections of the Soviet Union and its supporters. The resolution called upon the Secretary General to carry out an impartial investigation to ascertain the facts pertaining to reports regarding the alleged use of chemical weapons.

Subsequently the Secretary General appointed experts from Egypt, Kenya, the Philippines, and Peru, to a group of four to investigate reports on the alleged use of chemical weapons. The group held three sessions between April and November 1981. During the third session the group visited Thailand to collect and examine on-site evidence.

On November 19 the group of experts transmitted to the Secretary General the report on its findings. In this report the group stated that it was . . . "unable to reach a final conclusion as to whether or not chemical warfare agents had been used." The group noted that "Any investigation designed to lead to definitive conclusions regarding the alleged use of chemical weapons and to an assessment of the extent of the damage caused by such chemical weapons would require timely access to the areas of alleged use of chemical warfare agents in order to establish the true facts. Such an exercise has so far not been possible."

Consequently at the 36th General Assembly New Zealand introduced on November 25 in the First Committee a draft resolution, cosponsored by eight states and strongly supported by the United States, calling upon the Secretary General, with the assistance of the group of experts, to continue his investigations and report to the 37th General Assembly. The First Committee approved the resolution on December 4 by a vote of 74 (U.S.) to 18, with 30 abstentions, over the objections, once again, of the Soviet Union and its friends. The resolution subsequently was adopted by the General Assembly by a vote of 86 (U.S.) to 20, with 34 abstentions. (Resolution 36/96 C.)

On December 9, at the time of the adoption of the resolution, Ambassador Adelman, expressing U.S. support for efforts to ascertain the facts related to the use of chemical weapons, noted that the United States had cooperated fully with the Secretary General and the group of experts in providing formal submissions that detailed clear evidence of the use of chemical weapons. He stated:

Our objective is, quite simply, to stop these attacks. We shall keep this issue before the world community and on the international agenda because we believe this is the most effective way of stopping these attacks. We believe that if the facts of chemical weapons use are exposed to the world, the nations now using them may be deterred from continuing such an abhorrent practice. . . . Others must take this information as seriously as we do, and others are in fact beginning to do so.

Another resolution, introduced on November 19 by Canada on behalf of 37 states, expressed, *inter alia*, satisfaction with the work of the Committee on Disarmament during its 1981 session regarding the prohibition of chemical weapons and urged the Committee to continue such negotiations from the beginning of its 1982 session. An amendment to this resolution, submitted by Sweden and eight other countries on November 19, specifically called upon the CD to reestablish its *Ad Hoc* Working Group on Chemical Weapons with an appropriately revised mandate. The amendment was approved on November 24 in the First Committee by a vote of 101 to 2 (Canada, U.S.), with 19 abstentions. The resolution subsequently was approved, as amended, by a vote of 127 to 0, with 1 abstention (U.S.). At the time of First Committee approval of the resolution, U.S. Ambassador Lewis G. Fields expressed regret that the traditional consensus on this resolution had been prevented for the first time, noting that the United States had intended to support the resolution before the amendment was incorporated, as the United States strongly supports the objectives of effective prohibition of chemical weapons. He said:

. . . The substance of the amendment is inconsistent with the organizational arrangements for the Committee on Disarmament, as recorded in paragraph 120 of the Final Document of the 10th special session of the United Nations General Assembly. Under those arrangements, the Committee itself is to decide its internal procedures for dealing with the issues on its agenda. The United States cannot support any infringement of the Committee's authority."

The resolution was adopted by the General Assembly by a vote of 147 to 0, with 1 (U.S.) abstention. (Resolution 36/96 A.)

An additional draft resolution under this agenda item was submitted by the U.S.S.R. and its allies on November 20. The draft, *inter alia*, called for continued negotiations on chemical weapons prohibition in the Committee on Disarmament and also called for member states to refrain from production and deployment of binary and other new types of chemical weapons, as well as from stationing chemical weapons in those states that currently have no such weapons. This resolution was approved by the First Committee on November 24 by a vote of 95 to 1 (U.S.), with 30 abstentions.

In voting against the draft resolution in Committee, Ambassador Adelman reiterated U.S. support for an effective prohibition of chemical weapons but said that, as this resolution was largely duplicative of that resolution just approved (36/96 A), its sole purpose was "not to facilitate achievement of a chemical weapons prohibition." The United States ceased production of chemical weapons in 1969, he stated, but the United States had no choice but to take steps soon to redress the imbalance caused by the continuing and massive Soviet chemical weapons program. He said:

If the sponsors of this draft resolution are sincerely concerned that production of chemical weapons can impede negotiations on such a convention, why are they calling for restraint in this area only now and why are they asking that only new types of chemical weapons should not be produced, as if the older and more accident-prone types of such weapons were less lethal and irrelevant? . . . What they are attempting to do is to inhibit countermeasures required by the vast Soviet chemical weapons program by allowing that program to proceed at full speed.

The General Assembly adopted the draft resolution by a vote of 109 to 1 (U.S.), with 33 abstentions. (Resolution 36/96 B.)

COMPREHENSIVE TEST BAN

As in 1980 two resolutions were introduced in the First Committee on the subject of a comprehensive nuclear test ban. One resolution, introduced by Mexico on November 17 on behalf of eight states, urged, *inter alia*, all members of the Committee on Disarmament to support the creation of a CD working group to begin negotiation of a treaty for the prohibition of all nuclear weapons tests and called upon depositaries (U.S.S.R., United Kingdom, and United States) of the Non-Proliferation Treaty (NPT) and Limited Test Ban Treaty to halt all such tests, whether through a trilaterally agreed moratorium or "through three unilateral moratoria." A second draft resolution on this subject was introduced on November 18 by Australia on behalf of 18 states. This resolution called, *inter alia*, upon the

Committee on Disarmament to take the necessary steps, including the establishment of a working group, to initiate substantive negotiations on a treaty prohibiting nuclear testing at the beginning of its 1982 session and called for the resumption of the trilateral negotiations between the U.S.S.R., United Kingdom, and United States.

The Mexican draft resolution was approved in the First Committee on November 23 by a vote of 103 to 2 (U.S.), with 21 abstentions. It was adopted in the General Assembly by a vote of 118 to 2 (U.K., U.S.), with 23 abstentions. (Resolution 36/84.)

The Australian draft resolution was approved in the First Committee on November 24 by a vote of 121 to 0, with 5 (U.S.) abstentions and adopted in the General Assembly by a vote of 140 to 0, with 5 (U.S.) abstentions. (Resolution 36/85.)

The United States did not support the Mexican-sponsored resolution and abstained on the Australian-sponsored resolution. In explaining the U.S. votes on November 24 Ambassador Fields said:

The United States is of the view that arms control efforts in the nuclear field should be concentrated on negotiating balanced and verifiable nuclear arms reductions that will enhance international stability and reduce the risk of nuclear war. As regards [the Australian-sponsored] draft resolution, it also deals with the method of work in the Committee on Disarmament . . . We regard it as inappropriate for the General Assembly to suggest how the Committee should handle its agenda items.

The draft resolution [sponsored by Mexico] which was voted on yesterday contains a number of additional provisions which the United States cannot accept—in particular, a call for an unverified moratorium on nuclear tests.

NUCLEAR-WEAPON-FREE ZONES

Protocol I of the Treaty of Tlatelolco

The Treaty of Tlatelolco and its related protocols provide for a nuclear-weapon-free zone in Latin America. Protocol I, which is open to adherence by non-Latin American states that administer territories within the zone, provides that these states shall not store or deploy nuclear weapons within those territories. Protocol II, which is open to adherence by nuclear weapon states, provides that these states shall not contribute to acts involving a violation of the Treaty and not use or threaten to use nuclear weapons against Latin American states parties to the Treaty. The United States signed Protocol I in May 1977 and deposited its instruments of ratification on November 23, 1981, in Mexico City. The United States had signed Protocol II in April 1968 and deposited its instruments of ratification in May of 1971.

On November 19 Mexico introduced in the First Committee a resolution, sponsored by 21 Latin American and Caribbean states,

concerning the signature and ratification of Additional Protocol I of the Treaty of Tlatelolco. The draft resolution, as ultimately revised, noted with satisfaction that the United States became a party to Additional Protocol I on November 23, 1981, when its instrument of ratification was deposited, and expressed regret that France had not yet ratified Additional Protocol I and urged that it do so.

The United States supported this resolution at the 36th General Assembly and in so doing, Ambassador Fields, speaking on November 25, quoted Secretary Haig's comments upon depositing the U.S. instrument of ratification:

The United States is proud to participate in this pioneering achievement. The Treaty for the Prohibition of Nuclear Weapons in Latin America speaks to the finest aspirations of the Hemisphere. It embodies our yearning for peace by prohibiting the most terrible instrument of war. It strengthens the cause of nuclear non-proliferation; that must be a priority for all nations. It demonstrates that patient but imaginative diplomacy can indeed advance us toward a more secure future. It testifies to the vision and dedication of the nations that conceived it.

Ambassador Fields went on to say:

Our goal has been and continues to be to see the Treaty in force for all countries of the region. This is a task that remains before us, since there are states in the region which have not adhered to the Treaty. We regret that the sponsors of this draft resolution chose to single out one country for attention in this respect. My delegation would have preferred that this draft resolution call upon all states eligible to adhere to the Treaty, to sign it and to take the necessary steps to bring it into effect. All such nations should adhere to the Treaty and take steps to fulfill its promise.

The resolution was approved by the First Committee on November 25 by a vote of 121 (U.S.) to 0, with 3 abstentions, and was adopted by the General Assembly by a vote of 138 to 0, with 5 abstentions. (Resolution 36/83.)

African Nuclear-Weapon-Free Zone

A resolution calling for the establishment of Africa as a nuclear-weapon-free zone was first introduced in 1961. Similar resolutions followed in 1977, 1978, and 1979.

As in 1980 two resolutions were introduced in the First Committee in 1981 on the "Implementation of the Declaration on the Denuclearization of Africa." On November 13 Nigeria introduced on behalf of 17 African countries, and subsequently also sponsored by 12 additional states, a resolution on "the implementation of the Declaration on the Denuclearization of Africa." This resolution, similar to that adopted at the 35th General Assembly, reiterated previous requests for the cessation of nuclear cooperation with South Africa

and for the submission of South Africa's facilities to the inspection of the IAEA. In addition this resolution also specified certain materials which should not be provided to South Africa, such as "computers, electronic equipment, and related technology." Nigeria also introduced in the First Committee on November 12 a resolution, sponsored by 14 African countries and subsequently also sponsored by 14 other countries, concerning the nuclear capability of South Africa. This resolution, while similar to a resolution adopted on this subject at the 35th General Assembly, contained several new features. The resolution, *inter alia*, deplored the "massive buildup of South Africa's military machine, including its frenzied acquisition of a nuclear-weapon capability . . .," which "constitute a very grave danger to international peace and security," requested the Security Council to intensify its efforts to prohibit "all forms of cooperation and collaboration with South Africa," and called on the Security Council to "institute effective enforcement action against" South Africa. The resolution further called upon all "states, corporations, institutions, and individuals" to terminate "all military and nuclear collaboration" with South Africa, including the provision of "related materials such as computers, electronic equipment, and related technology." The resolution, in addition, made references to "certain Western countries" who have "collaborated" and "cooperated" with South Africa in the development of its "nuclear capabilities."

The resolution dealing with the declaration on the denuclearization of Africa was approved by the First Committee on November 24, by a vote of 113 to 0, with 11 (U.S.) abstentions. Before approval the United States called for a separate vote on operative paragraph 4 of this resolution, which called for the termination of "military and nuclear collaboration" with South Africa, "including the provision to it of such related materials as computers, electronic equipment, and related technology." This paragraph was approved by a vote of 101 to 6 (U.S.), with 16 abstentions. The General Assembly subsequently adopted the resolution by a vote of 132 to 0, with 12 (U.S.) abstentions. (Resolution 36/86 B.)

The resolution addressing the "nuclear capability" of South Africa was approved on November 24 in the First Committee by a vote of 108 to 4 (U.S.), with 9 abstentions, and subsequently adopted by the General Assembly by a vote of 129 to 4 (U.S.), with 10 abstentions. (Resolution 36/86 A.)

At the time of First Committee approval of these resolutions, Ambassador Adelman said, in part:

The United States supports in principle the creation of an African nuclear-weapon-free zone, consistent with our well-known position on the principles for establishing such a zone. The United States remains firm in its belief that an Africa free of nuclear weapons is a goal worth our collective energies and cooperation, and the Organization of African Unity deserves great credit for its early recognition of the importance of denuclearization of the African continent.

However, it is our view that these draft resolutions do not serve the purpose of non-proliferation and in fact discourage South Africa from implementing a non-proliferation policy. Moreover, my delegation believes that the intemperate tone and unproved allegations in the draft resolution do not contribute to the goals of the draft resolutions themselves or to an improvement of the situation in South Africa, especially at a sensitive time when discussions are well under way, leading, we hope, to a solution of the Namibian conflict.

Middle East Nuclear-Weapon-Free Zone

The idea of establishing a Middle East nuclear-weapon-free zone dates from 1974 when, at the initiative of Iran and Egypt, the General Assembly adopted its first resolution commending the idea. In subsequent years the General Assembly has on several occasions adopted resolutions endorsing a Middle East nuclear-weapon-free zone as a way to enhance the cause of peace in the region. At the 35th General Assembly both Israel and Egypt introduced separate resolutions on this subject. In the face of what Israel termed "the adamant refusal on the part of so many Arab States to respond to Israel's calls for the denuclearization of the Middle East," Israel withdrew its resolution and, for the first time, joined in supporting the Egyptian resolution, enabling consensus adoption of the resolution.

In 1981 Egypt introduced in the First Committee on November 20 a draft resolution on the "Establishment of a nuclear-weapon-free zone in the region of the Middle East," designed to build upon the consensus obtained on the resolution adopted at the 35th General Assembly. This resolution, *inter alia*, declared "as an urgent goal the establishment of a nuclear-weapon-free zone in the Middle East" and requested the Secretary General "to appoint a special representative to contact all concerned parties in the region with a view to ascertaining their attitudes on procedures necessary for the establishment of a nuclear-weapon-free zone in the Middle East including the scope and modalities thereof," to submit an interim report on the mission to the second special session of the General Assembly devoted to disarmament, and to report to the 37th session of the General Assembly.

On November 23 Qatar submitted amendments to this resolution, which, *inter alia*, singled out Israel for its "attack on the nuclear installations of Iraq as well as Israel's nuclear capability," called into question the future of the NPT as a result of this attack, and destroyed the contents of the operative portions of the Egyptian draft resolution. As adoption of these amendments likely would have prevented consensus adoption of the Egyptian resolution, and because Egypt wanted to build on the 35th General Assembly's consensus resolution, Egypt submitted a revised resolution, which was strictly procedural and designed to keep the goal of such a zone

alive. The revised version requested the Secretary General to transmit the consensus resolution adopted by the 35th General Assembly to the second special session of the General Assembly devoted to disarmament and called for this item to be included on the agenda of the 37th session of the General Assembly. In light of the revisions to the original Egyptian resolution, consideration of the amendments submitted by Qatar was not required. The Egyptian resolution, as revised, was approved by the First Committee on November 25 by consensus and eventually adopted by the General Assembly without a vote. (Resolution 36/87 A.)

In his statement in the general debate on the disarmament item before the First Committee on October 21, the Director of the U.S. Arms Control and Disarmament Agency, Eugene Rostow, spoke to this issue:

The United States Government has taken a keen interest in supporting the Egyptian initiative to establish a Middle Eastern nuclear-weapon-free zone. The proposal has great promise which can be realized only if the states of the region work together to fulfill it. Many problems will have to be solved by those states before the dream of the Middle East as a nuclear-weapon-free zone can become a reality. The United States stands ready to assist the states of the region, if they wish such assistance, in studying these thorny issues and in resolving them. We hope that this session of the General Assembly will encourage the project and give it further impetus.

In joining the consensus on this resolution, Ambassador Fields said:

We had hoped to vote in favor of the original draft resolution, as we felt strongly about this constructive proposal put forward by the Egyptian delegation. Moreover, the concept of nuclear-weapon-free zones in appropriate areas has long been supported by the United States, and it is our policy to continue to support their development.

In connection with this agenda item, Iraq introduced directly into the General Assembly on December 9, on behalf of the group of Arab States, a resolution on the "Establishment of a nuclear-weapon-free zone in the Middle East." All other draft resolutions on disarmament and international security matters initially had been considered, in the normal course, by the First Committee. This resolution, *inter alia*, expressed concern that the "future of the NPT in the region was gravely endangered by the attack carried out by Israel" on the nuclear installations of Iraq, considered "that this attack adversely affects the prospects of establishing a nuclear-weapon-free zone in the Middle East," and declared that it is "imperative in this respect that Israel place forthwith all its nuclear facilities under IAEA safeguards."

This resolution was adopted in the General Assembly on December 9 by a vote of 107 to 2 (U.S.), with 31 abstentions. (Resolution 36/87

B.) In explaining the U.S. vote Ambassador Adelman reiterated U.S. support for the concept of the establishment of the Middle East as a nuclear-weapon-free zone. He said, however, that:

If there were merit to the ideas contained in the draft resolution before us, quite at variance with the one we all considered in the First Committee, it should have been introduced and debated in the First Committee. . . This draft resolution . . . is unbalanced in that it focuses on the failure of one country in the Middle East—of course, Israel—to apply IAEA safeguards, whereas several other states of the region have not ratified the Non-Proliferation Treaty . . . Finally this draft resolution again focuses upon the attack of last June, a matter which the appropriate body of the United Nations, the Security Council, dealt with at length, and on which it reached a consensus agreement.

Nuclear-Weapon-Free Zone in South Asia

The idea of establishing a nuclear-weapon-free zone in South Asia, first proposed in 1974, was again considered at the 1981 session of the General Assembly.

On November 16 Pakistan introduced in the First Committee a draft resolution on the "Establishment of a nuclear-weapon-free zone in South Asia." This draft resolution, identical to that introduced and subsequently adopted at the 35th session of the General Assembly, *inter alia*, endorsed the concept of such a zone, urged "interested states of South Asia and such other neighboring non-nuclear-weapon states as may be interested," to make all efforts to establish such a zone, called upon the nuclear-weapon states that have not done so to respond positively to this proposal, and requested the Secretary General to assist in the promotion of efforts for the establishment of such a zone.

The resolution was approved by the First Committee on November 25 by a vote of 82 (U.S.) to 2, with 38 abstentions and adopted by the General Assembly by a vote of 93 (U.S.) to 3, with 44 abstentions. (Resolution 36/88.)

The United States voted for the draft resolution, reflecting continuing U.S. support for the concept of establishing nuclear-weapon-free zones in South Asia and in other regions of the world. On November 25 Ambassador Fields said:

We believe that effective nuclear-weapon-free zones negotiated and supported by the appropriate parties can enhance the security of their participants and reinforce non-proliferation goals on a regional basis.

The criteria by which the United States judges the effectiveness of any nuclear-weapon-free zone have been elaborated by my delegation at previous sessions of the Committee. It may be useful to mention them briefly again.

First, the initiative for the creation of a nuclear-weapon-free zone should come from the states in the region concerned.

Secondly, all states whose participation is deemed important should participate in the zone.

Thirdly, the zone arrangement should provide for adequate verification of compliance with the zone's provisions.

Fourthly, the establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security.

Fifthly, the zone arrangement should effectively prohibit its parties from developing any nuclear explosive device for whatever purpose.

Sixthly, the zone arrangement should seek not to impose restrictions on the exercise of rights recognized under international law, particularly the principle of freedom of navigation on the high seas, in international air space, and in straits used for international navigation and the right of innocent passage through territorial seas.

And, finally, the establishment of a zone should not affect the existing rights of its parties under international law to grant or deny transit privileges, including portcalls and overflights to other states.

With reference to the specific resolution on establishing a nuclear-weapon-free zone in South Asia, Ambassador Fields stated:

While we strongly support this draft resolution, we want to make it clear that our vote is not directed against any particular state in the region. Moreover, it is our firm belief that any nuclear-weapon-free zone arrangement must effectively preclude the conducting of any nuclear explosions. Moves by any state toward development of nuclear weapons concern us all equally.

As we did last year, I should like to take particular note of operative paragraph 2 of the draft resolution, which urges all states in the region to refrain from any conduct contrary to the objective of the draft resolution. The United States decision to vote for the draft resolution is based on our expectation that the sponsors and others supporting it will demonstrate that they also take this provision with the utmost seriousness.

NEW TYPES OF WEAPONS OF MASS DESTRUCTION

International concern over the possibility of new types of weapons that could cause massive destruction arose as a result of the shock created by the emergence and use of nuclear weapons in 1945. Although the term "mass destruction weapon" (MDW) has no self-evident definition, the UN General Assembly in 1948 approved a delineation of such weapons as nuclear explosive weapons, radioactive material (or radiological) weapons, lethal chemical and biological weapons, and "any weapons developed in the future which have characteristics comparable in destructive effect" to the former.

In 1975 the U.S.S.R. supplemented its perennial charges that the United States was developing new and ever more destructive weapons by requesting that MDW be included in the agenda of the 30th session of the General Assembly. The Soviets proposed and obtained General Assembly endorsement for negotiations in the Committee on Disarmament aimed at a multilateral treaty banning the "development and manufacture of new types of weapons of mass destruction and new systems of such weapons."

The United States and many of its allies have cooperated closely in responding to the Soviet proposal. Referring to the UN definition the United States emphasized that no such new type of MDW has emerged. The United States took the position that it, like other governments, would not wish to see the emergence of any such new type of MDW. At the same time it could not support negotiations of a prohibition on the development of a new MDW because of the infeasibility of defining the scope of such a prohibition and of devising effective verification measures. Instead it maintained that international preventive action should be taken when and if some specific new type of MDW appeared to have real potential. It supported, instead, keeping the matter under periodic review in the CD. This position was incorporated in Western resolutions adopted by the General Assembly in 1977 and 1978. Meanwhile the Soviets also continued to obtain General Assembly support for negotiation of a comprehensive MDW treaty.

During its 1981 session the CD held three informal meetings on this subject, with governmental experts participating. A number of views, identified in the 1981 Report of the CD to the General Assembly, were expressed on how this matter should be addressed in the future, but, as in previous CD sessions, no potential new type of MDW could be identified, and no consensus was reached beyond agreement that this question should be kept under continuing review.

At the 36th General Assembly, on November 19 the Byelorussian S.S.R introduced on behalf of 24 countries, a resolution on this subject in the First Committee. In addition to features contained in previous resolutions sponsored by the Soviet Union and Eastern European states, this resolution called on the permanent members of the Security Council as well as other militarily significant states to make declarations, identical in substance, concerning the refusal to create new types of weapons of mass destruction and new systems of such weapons, as a first step toward the conclusion of a comprehensive agreement on the subject. The draft resolution was approved by the First Committee on November 23 by a vote of 95 to 0, with 27 (U.S.) abstentions, and subsequently adopted by the General Assembly by a vote of 116 to 0, with 27 (U.S.) abstentions. (Resolution 36/89.)

The United States abstained on this resolution, as it has on analogous resolutions in the past.

WORLD DISARMAMENT CONFERENCE

The question of convening a world disarmament conference has been on the agenda of the General Assembly since 1971, when the Soviet Union introduced the subject. In 1973 the Assembly estab-

lished an *Ad Hoc* Committee on the World Disarmament Conference, composed of 40 non-nuclear-weapon states, to examine the views of states on convening such a conference.

The United States abstained on the initial resolution but joined in consensus approval of the 1973 and subsequent implementing resolutions because these did not imply any commitment to convene or to begin preparations for a conference.

The U.S. position continued to be that such a world conference, while it might be useful at some stage in the future, would at the present time be more harmful than helpful to progress on disarmament.

On November 16 Burundi, Peru, Poland, Spain, and Sri Lanka submitted a draft resolution on the World Disarmament Conference. The draft resolution renewed the mandate of the *Ad Hoc* Committee and requested the Committee to submit a report to the second special session devoted to disarmament and to the 37th session of the General Assembly. In light of the convening of SSOD II in 1982, the resolution did not address the question of setting a date for a conference.

On November 25 the First Committee approved the draft resolution without a vote. On December 9 the General Assembly adopted the resolution, also without a vote. (Resolution 36/91.)

NUCLEAR WEAPONS IN ALL ASPECTS

On November 19 the U.S.S.R., subsequently joined by 10 other countries, submitted a draft resolution in the First Committee calling upon the Committee on Disarmament to consider establishment of an *ad hoc* working group for the purpose of an early commencement of negotiations on the question of the cessation of the nuclear arms race and nuclear disarmament. This resolution was similar in substance to resolutions sponsored by the Soviet Union at both the 34th and 35th sessions of the General Assembly.

The Soviet resolution was approved by the First Committee on November 23 by a vote of 83 to 17 (U.S.), with 8 abstentions and subsequently adopted by the General Assembly by a vote of 118 to 18 (U.S.), with 5 abstentions. (Resolution 36/92 E.)

On November 16 Yugoslavia, on behalf of 27 countries, introduced a resolution on the report of the Committee on Disarmament. This resolution called for, *inter alia*, the establishment of working groups in the CD on all priority items on its agenda, including the cessation of the nuclear arms race and nuclear disarmament.

The Yugoslavian-sponsored resolution was approved by the First Committee on November 25 by a vote of 115 to 0, with 8 (U.S.) abstentions and ultimately adopted by the General Assembly by a vote of 136 to 0, with 9 (U.S.) abstentions. (Resolution 36/92 F.)

The United States voted against the Soviet-sponsored resolution because it believed that nuclear disarmament must be approached through a step-by-step process involving negotiations among the nations directly concerned.

The United States abstained on the Yugoslavian-sponsored resolution for the same reason. In addition the United States pointed out that it was contrary to the established rules and procedures of the CD for the General Assembly to dictate its specific tasks.

NON-USE OF NUCLEAR WEAPONS

As it had in 1978, 1979, and 1980 India introduced a resolution, ultimately sponsored by 30 non-aligned countries, on the "Non-use of nuclear weapons and prevention of nuclear war." As in past resolutions this resolution declared that the use of nuclear weapons would be a violation of the UN Charter and a crime against humanity, and in addition, urged that the second special session of the UN General Assembly devoted to disarmament "consider the question of an international convention on the non-use of nuclear weapons and prevention of nuclear war or some other agreement on the subject."

The United States opposed the resolution on the same grounds it has opposed similar resolutions in the past. The UN Charter provides no basis for such a declaration, as it neither prohibits the use of force in self-defense, nor outlaws nuclear weapons for defense or deterrence. In many parts of the world, nuclear weapons are part of the security arrangements that have maintained peace.

The draft resolution was approved on November 23 in the First Committee by a vote of 99 to 18 (U.S.), with 5 abstentions and given final adoption by the General Assembly by a vote of 121 to 19 (U.S.) with 6 abstentions. (Resolution 36/92 I.)

In 1981, in addition to the recurring Indian-sponsored resolution on the non-use of nuclear weapons, a new item on the prevention of nuclear catastrophe was included in the General Assembly's agenda at the request of the U.S.S.R. Under this item the U.S.S.R. introduced in the First Committee a draft resolution entitled "Declaration on the Prevention of Nuclear Catastrophe." This draft resolution proclaimed, on behalf of UN members, *inter alia*, that resort to the first use of nuclear weapons was a grave crime against humanity, that there was no "justification or pardon for statesmen who would take the decision to be the first to use nuclear weapons," and that doctrines allowing the first use of nuclear weapons were incompatible with human moral standards and UN ideals.

This resolution was approved on November 25 by the First Committee by a vote of 67 to 18 (U.S.), with 37 abstentions, and was adopted by the General Assembly by a vote of 82 to 19 (U.S.), with 41 abstentions. (Resolution 36/100.)

The United States voted against this resolution for the same reason it opposed the resolution sponsored by India. No basis for such a declaration exists in the UN Charter.

SPECIFIC CONVENTIONAL WEAPONS CONFERENCE

In 1977 the General Assembly decided to convene the Conference on Prohibition or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or To Have Indiscriminate Effects. Representatives of 85 states, including the United States, participated in the Conference. At the final meeting, held September 15–October 10, 1980, the Conference adopted a Convention on certain conventional weapons, along with three Protocols on weapons producing non-detectable fragments, on mines and boobytraps, and on incendiary weapons. The Convention was opened for signature on April 10, 1981, at UN Headquarters in New York.

A resolution adopted by the 35th General Assembly requested the Secretary General to report to the 36th General Assembly on the status of the Convention. In his report the Secretary General noted that many countries had signed the Convention, and several had ratified it. On November 18 Nigeria introduced, on behalf of 22 countries, a draft resolution which, *inter alia*, expressed satisfaction with the Secretary General's report that many states already had signed the Convention, urged others to sign and ratify the Convention and the Protocols, and requested the Secretary General to keep the General Assembly informed from "time to time" of the state of adherence to the said Convention and its three Protocols.

The draft resolution was approved without a vote on November 23 in the First Committee and adopted without a vote in the General Assembly on December 9. (Resolution 36/93.)

The United States, in joining the consensus, did so because it believed the Convention could serve humanitarian interests. The United States reserved the right, however, to return to consideration of questions relating to compliance of the Convention. Ambassador Adelman said:

. . . Formal adherence by states to agreements restricting the use of weapons in armed conflict would be of little purpose if the parties were not at the same time formally committed to taking every appropriate step to ensure compliance with those restrictions after their entry into force. . . . The United States continues to regret that the provisions for the creation of a special consultative committee of experts, which was proposed by a number of states at the Conference, was not adopted.

NEGATIVE SECURITY ASSURANCES

Non-nuclear weapon states have long sought guarantees from the nuclear weapon states that, in exchange for their renunciation of

nuclear arms, the nuclear weapon states would not use or threaten to use nuclear weapons against them (commonly referred to as negative security assurances.) In an effort to meet these concerns, all five of the nuclear weapon states issued unilateral statements on negative security assurances during the first General Assembly session on disarmament in 1978.

In 1979, 1980, and 1981 the CD established an *ad hoc* working group on negative security assurances. The group's mandate in 1981, as in 1980, was to "continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear weapon states against the use or threat of use of nuclear weapons." The continuing discussions in the Committee on Disarmament had not led to a narrowing of the differences between the various approaches.

Two draft resolutions were proposed to the 36th session of the General Assembly regarding negative security assurances. Bulgaria introduced, on behalf of nine countries, a resolution that, *inter alia*, called upon all states participating in the CD negotiations to "make efforts for the elaboration and conclusion of an international convention on this matter" and called upon all nuclear-weapon states to make "solemn declarations, identical in substance, concerning the non-use of nuclear weapons against non-nuclear weapon states having no such weapons on their territories," declarations that could be examined by the Security Council with a view to the adoption of an appropriate resolution approving them.

Another draft resolution, introduced in the First Committee by Pakistan and submitted in revised form on November 16, *inter alia*, appealed "to all states, especially the nuclear-weapon states, to demonstrate the political will necessary to reach agreement," and recommended that the Committee on Disarmament actively continue negotiations . . . -taking into account the widespread support for the conclusion of an international convention"

In the United Nations and in the CD, the United States has pointed out the difficulties in framing a single form of negative security assurance that would safeguard the security requirements of each of the nuclear weapon states and their respective allies and also meet the desires of all the non-nuclear weapon states. The United States has continued, however, to support CD efforts to reach agreement on a common approach and, in particular, a common formula. The United States has doubted whether an international convention is a realistic goal, particularly given the difficulties to date in reaching an agreement on a common formulation of an assurance. The Bulgarian resolution incorporated the Soviet position that only those states that do not have nuclear weapons on their territory should receive assurances, a concept the United States rejects. The United States consequently voted against the Bulgarian-

sponsored resolution and abstained on the Pakistan-sponsored resolution.

The Bulgarian-sponsored resolution was approved by the First Committee on November 23 by a vote of 93 to 16 (U.S.), with 14 abstentions and adopted by the General Assembly on December 9 by a vote of 115 to 17 (U.S.), with 12 abstentions. (Resolution 36/94.)

The Pakistan-sponsored resolution was approved on November 25 by the First Committee by a vote of 121 to 0, with 4 (U.S.) abstentions and adopted by the General Assembly on December 9 by a vote of 145 to 0, with 3 (U.S.) abstentions. (Resolution 36/95.)

CONFIDENCE BUILDING MEASURES

In 1979 the General Assembly adopted a resolution calling on the Secretary General to establish an expert group on Confidence Building Measures (CBM's) and requested this group to conduct a study to be submitted to the Assembly during its 36th session. The Secretary General appointed a 14-member expert group which included the United States. The group, which met four times, concluded its work at its last meeting held in the summer of 1981. The Secretary General submitted the group's report to the 36th General Assembly for consideration.

On November 20 the Federal Republic of Germany introduced in the First Committee a resolution, ultimately sponsored by 32 states including the United States, on confidence-building measures. This resolution took note of the Secretary General's report and, *inter alia*, (1) recognized that confidence reflected a set of interrelated factors of a military as well as non-military character and that a plurality of approaches was needed to overcome fear, apprehension, and mistrust among states; (2) recommended that further efforts be made to build on the experiences gained from the application of confidence building measures, both within and outside the United Nations; (3) invited all states to consider the "possible introduction of confidence building measures in their particular regions and, where possible, to negotiate on them in keeping with conditions and requirements prevailing in the respective region," and (4) submitted the study for further consideration to the second special session devoted to disarmament.

The First Committee approved this resolution by consensus on November 25, and the General Assembly adopted the resolution, again without a vote, on December 9. (Resolution 36/97 F.)

NON-STATIONING OF NUCLEAR WEAPONS

In 1978 the General Assembly adopted a Soviet-sponsored resolution which called upon all nuclear-weapon states to refrain from

stationing nuclear weapons in the territories of states which at that time had no such weapons. The resolution further called upon all states that did not have nuclear weapons in their territories to refrain from any steps that would result in the stationing of such weapons in their territories. The United States voted against the resolution, pointing to U.S. alliance arrangements and concern for mutual security interests. The United States expressed its support instead for the establishment of nuclear-weapon-free zones where conditions permit. In 1979 the General Assembly called upon all states to transmit to the Secretary General their opinions and observations regarding the possibility of concluding an agreement on the non-stationing of nuclear weapons. The Secretary General's report was submitted to the Assembly during its 35th session. At that session, in 1980, a resolution noting the Secretary General's report was adopted, which requested the CD to proceed without delay to talks with a view to elaborating an international agreement on the non-stationing of nuclear weapons and requested the CD to submit a report on the question to the 36th session.

In 1981 at the 36th session, Hungary introduced, also on behalf of 17 other countries, a draft resolution on the non-stationing of nuclear weapons which regretted that the General Assembly's earlier call was not heeded and requested once again that the CD begin talks with a view to elaborating an international agreement on the non-stationing of nuclear weapons. In addition, this draft resolution had a new element—it called on the nuclear-weapon states “to refrain from further action involving the stationing of nuclear weapons on the territories of other states”—the effect of which would preclude, for example, any modernization of the geographical distribution of NATO's nuclear forces.

As in the past the United States firmly opposed the non-stationing concept, not only because of the verification problems inherent in achieving a global ban of this kind but also because of its effects on U.S. alliance arrangements.

The draft resolution was approved on November 25 in the First Committee by a vote of 67 to 17 (U.S.), with 38 abstentions. The resolution was adopted in the General Assembly by a vote of 84 to 18 (U.S.), with 42 abstentions. (Resolution 36/97 E.)

PREVENTION OF AN ARMS RACE IN OUTER SPACE

The question of arms control in outer space surfaced as an important issue at the 36th General Assembly. The Soviet Union requested the inclusion in the agenda of an item entitled “Conclusion of a treaty on the prohibition of the stationing of weapons of any kind in outer space.” On November 12 Mongolia introduced a draft resolution which, taking into account the Soviet draft treaty, re-

quested the CD to begin negotiations with a view to achieving agreement on the text of a treaty to prevent the spread of the arms race to outer space.

Most Western delegations found the Soviets motivated more by a desire to gain a propaganda advantage on the outer space issue rather than by a genuine desire for advancing the cause of outer space arms control. The United States noted that Soviet motives on this question were suspect, because only they possess an antisatellite weapon system, which they have been perfecting for a number of years. On November 13 Italy, on behalf of eight Western states ultimately joined by nine additional countries, introduced a separate draft resolution on outer space arms control under the established agenda item on general and complete disarmament. The Western draft resolution requested the CD to consider as a matter of priority the question of negotiating an effective and verifiable agreement to prohibit antisatellite systems as a step toward preventing an arms race in outer space.

The Soviet draft resolution was approved on November 23 in the First Committee by a vote of 105 to 0, with 20 (U.S.) abstentions. In plenary the resolution was adopted by a vote of 123 to 0, with 21 (U.S.) abstentions. (Resolution 36/99.)

The Western resolution was approved in the First Committee by a vote of 110 to 0, with 14 abstentions (Eastern European states). The resolution was adopted in plenary session by a vote of 129 to 0, with 13 abstentions (Eastern European states). (Resolution 36/97 C.)

RADIOLOGICAL WEAPONS

On July 9, 1979, the Soviet Union and the United States submitted to the CD an agreed joint proposal on major elements of a treaty prohibiting the development, production, stockpiling, and use of radiological weapons. They urged the CD to give the initiative prompt consideration, so that a draft treaty could be expeditiously developed. In December 1979 the General Assembly requested the CD to proceed as soon as possible to reach agreement through negotiations on the text of a radiological weapons convention. During its 1980 session the CD established an *ad hoc* working group which began to consider such a ban.

At the 36th General Assembly, on November 13, Hungary introduced a draft resolution calling on the CD to continue negotiations with a view to an early conclusion of the elaboration of a treaty prohibiting radiological weapons.

The draft resolution was approved without a vote on November 20 by the First Committee and on December 9 was adopted by the General Assembly, also without a vote. (Resolution 36/97 B.)

CUTOFF OF FISSIONABLE MATERIAL FOR WEAPONS PURPOSES

On November 18 Canada introduced a draft resolution, ultimately sponsored by 19 states, entitled "Prohibition of the production of fissionable material for weapons purposes." This draft resolution, similar to resolutions on this subject adopted in previous years, requested the CD to consider, at an appropriate stage, the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices.

The United States supported the objective of a prohibition on the production of fissionable material for weapons purposes as a long-term goal, but abstained on this resolution. This abstention was based on the U.S. belief that arms control efforts must emphasize areas in which there is the likelihood of success at the present time. The difficult problem of verification poses an obstacle to the realization of the approach of a prohibition on the production of fissionable materials for weapons purposes.

On November 24 the draft resolution was approved in the First Committee by a vote of 99 to 13, with 6 (U.S.) abstentions. The General Assembly adopted the resolution by a vote of 125 to 14, with 6 (U.S.) abstentions. (Resolution 36/97 G.)

STRATEGIC ARMS LIMITATION TALKS

On November 19 Mexico introduced a draft resolution, sponsored by eight states, on the Strategic Arms Limitation Talks (SALT) between the U.S.S.R. and the United States. The draft resolution, *inter alia*, noted that the SALT II Treaty had not yet been ratified, urged that the process begun by the SALT I Treaty and the signature of the SALT II Treaty should continue and be built upon, and to that effect, expressed trust that the signatory states would continue to refrain from any act that would defeat the object and purpose of that process. The resolution also urged the United States and the U.S.S.R. to pursue negotiations toward the achievement of an agreement that would provide for substantial reductions and significant qualitative limitations of strategic arms and welcomed the commencement of the nuclear arms talks between the two which had begun on November 30, 1981, in Geneva.

The draft resolution was approved by the First Committee on December 4 without a vote and subsequently adopted by the General Assembly, also without a vote. (Resolution 36/97 I.)

ISRAELI NUCLEAR ARMAMENT

Iraq launched an initiative in the General Assembly in 1979 that called for a halt to nuclear cooperation with Israel and for a UN

study of Israeli's nuclear capability. Consideration in the 36th General Assembly of this agenda item was complicated by the Israeli attack in June 1981 on an Iraqi nuclear research facility being constructed by France which Israel charged would have the capability of nuclear weapon material production. Iraq is a party to the Non-Proliferation Treaty and has accepted IAEA safeguards for its nuclear program; Israel neither is party to the Treaty nor has IAEA safeguards. Some countries, therefore, chose to interpret the attack as an assault on the credibility of the IAEA.

On November 20 Iraq followed up its initiative of previous years by introducing a draft resolution, on behalf of 14 sponsors, which referred to the Israeli attack, expressed alarm at the finding in the UN study that Israel has a technical capability for nuclear weapons production and delivery, called again for termination of nuclear collaboration with Israel, and demanded that Israel renounce nuclear weapons and accept IAEA safeguards.

The United States objected, as it had to the previous Iraqi resolutions, to Israel being singled out from other non-parties to the NPT.

The First Committee approved the draft resolution on November 25 by a vote of 93 to 2 (Israel, U.S.), with 32 abstentions, and on December 9 the General Assembly adopted the resolution by a vote of 101 to 2 (Israel, U.S.), with 39 abstentions. (Resolution 36/98.)

OUTER SPACE

The Committee on Peaceful Uses of Outer Space,⁸ its Scientific and Technical Committee, and its Legal Subcommittee met during 1981. The major issues considered were remote sensing, the use of nuclear power sources in space, the geostationary orbit, direct television broadcasting from satellites, and the upcoming 1982 UN Conference on the Peaceful Exploration and Uses of Outer Space (UNISPACE '82). The United States participated in their work and in consideration of the Committee's report by the 36th General Assembly.

Scientific and Technical Subcommittee

The Scientific and Technical Subcommittee held its 18th session February 2-13 in New York.

The Subcommittee considered the preparations for UNISPACE '82, the use of nuclear power sources in outer space, the UN program

⁸ The 53 members of the Committee on Peaceful Uses of Outer Space were Albania, Argentina, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Cameroon, Canada, Chad, Chile, China, Colombia, Czechoslovakia, Ecuador, Egypt, France, German Democratic Republic, Federal Republic of Germany, Greece, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Lebanon, Mexico, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Sierra Leone, Spain, Sudan, Sweden, Syria, U.S.S.R., United Kingdom, United States, Upper Volta, Uruguay, Venezuela, Vietnam, and Yugoslavia.

on space applications and the coordination of UN space activities, and questions relating to remote sensing of the earth by satellites. Other items under consideration were those relating to space transportation systems and their implications for future activities in space and to the examination of the physical nature and technical attributes of the geostationary orbit.

The Subcommittee, in its role as adviser to the Preparatory Committee for UNISPACE '82, considered this item and adopted a report regarding the conference, and the secretariat of the conference and supported preconference activities such as regional remote sensing seminars.

The working group that was established to consider the technical aspects and safety measures relating to the use of nuclear power sources (NPS), submitted its report, which was considered and adopted. The working group recommended that its work be suspended and the group could be reconvened if requested, with the NPS issue being retained as a priority item on the Subcommittee agenda.

The UN program on space applications covered several panels, seminars and training workshops, fellowships, etc., supported by various member states and UN agencies. The Subcommittee reiterated the view expressed in previous sessions that the UN program in space applications should be expanded both in scope and content if it is to better accommodate the needs of the developing countries. The Subcommittee continued to stress the necessity of ensuring continuous and effective consultations and coordination in the field of outer space activities among organizations within the UN system.

Legal Subcommittee

The Legal Subcommittee held its 20th session March 13–April 10 in Geneva. Its agenda included consideration of draft principles concerning remote sensing of the Earth from space; draft principles governing the use by states of artificial earth satellites for direct television broadcasting (DBS); the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space; and matters relating to the definition and/or delimitation of outer space, bearing in mind geostationary orbit questions. The first three items were considered in working groups of the Subcommittee.

The discussion of remote sensing focused on whether consent by the sensed state should be required prior to the dissemination of remote sensing data and on the rights sensed states should have to access to such data. The U.S. Representative, David Small, explained the difficulties inherent in requiring consent of the sensed state before dissemination of remotely sensed data, stated the continued U.S. support for the principle of timely and non-discriminatory

access to data by sensed states, and made clear the U.S. view that the entire set of draft principles dealt only with civil remote sensing. Although the informal discussions showed some progress, no agreement was reached on any significant new drafting.

Informal negotiations on the draft principles regarding direct television broadcasting were intense. Significant progress was provisionally achieved: treatment of free flow of information and ideas was improved, a troublesome principle on purposes and objectives of international direct television broadcasting was eliminated, and compromise wording was found which avoided prejudice to the Western view that states do not bear international responsibility for the content or conduct of non-governmental direct broadcasting. However, when the United States and a number of other Western countries continued to reject language requiring the prior political consent of the receiving state to the establishment of an international direct television broadcasting service, Canada and a number of Third World countries blocked the provisional progress and introduced a comprehensive set of draft principles governing direct television broadcasting that was acceptable to the Eastern European nations but not to the majority of the members of the Western European and Other group.

Discussions of the nuclear power sources issue remained at a preliminary and exploratory stage, with no general agreement as to the content of any additional norms relating to their use in space. The United States expressed its readiness to develop rules relating to safety and notification based on the consensus reached earlier in the Scientific and Technical Subcommittee working group.

The Legal Subcommittee remained divided along traditional lines on the need for a definition of outer space or a delimitation of a boundary between air space and outer space. The U.S. Representative, responding to Soviet suggestions that those opposing definition or delimitation had dangerous motives, pointed out that the Soviet proposal itself would not, in fact, establish such a boundary.

Outer Space Committee

The Committee on Peaceful Uses of Outer Space held its 24th session June 22–July 2, 1981, in New York. Following a general exchange of views, the Committee adopted a report based essentially on the recommendations of the Scientific and Technical and Legal Subcommittees.

The Committee noted with satisfaction that the Scientific and Technical Subcommittee had resumed priority consideration of questions relating to remote sensing of the Earth by satellites. The Committee noted that delegations had reaffirmed their basic position on remote sensing expressed in previous sessions of the Subcommit-

tee. The Committee expressed its appreciation for the completion of a remote sensing catalog. The Committee noted that the Subcommittee had encouraged the establishment of new and the strengthening of existing regional remote sensing centers with a view to creating an indigenous capacity, especially within the developing countries.

The Committee endorsed the recommendation of the nuclear power sources working group that its work be suspended and that it could be reconvened as requested in accordance with established procedure. Other Scientific and Technical Subcommittee recommendations were adopted by the Committee, including the endorsement of the Subcommittee's request that the Secretariat submit a detailed proposal, together with its financial implications, on activities that could be undertaken within the UN program on space applications to further assist member states in their efforts to share the benefits of applications of space technology for development.

The Committee in general endorsed the work of the Legal Subcommittee covering remote sensing, direct television broadcasting satellites, use of nuclear power sources, the definition and/or delimitation of outer space, and the geostationary orbit. An informal working group was established to consider direct broadcasting satellites. Due to a procedural debate on the future treatment of direct broadcasting satellites, the Committee had to drop all recommendations on the future work of the Legal Subcommittee.

The Committee continued its work as a preparatory committee for UNISPACE '82 on conference procedures, bureau, exhibits, demonstrations, and papers. Rules of Procedure for the conference were established with consensus being the operating norm. The United States stated that it regretted that the leadership issue of the Conference had not yet been resolved.

On June 24 Deputy Assistant Secretary of State Charles Horner thanked the Committee for the congratulatory messages received by the United States on the successful flight of the space shuttle from both government and individual scientists and citizens alike. He noted that the enthusiastic international response to the shuttle confirmed the importance of the international character of the shuttle in the peaceful uses of outer space. With regard to the issue of arms control in space, the United States emphasized that these were not exclusively or even primarily space matters but are subjects that went beyond the expertise and mandate of the Committee. In addition Mr. Horner summarized other highlights of the U.S. space program and the international cooperation in the LANDSAT program; the Galileo mission of the Federal Republic of Germany and NASA; the joint NASA, Netherlands, the U.K. program on the Infrared Astronomical Satellite (IRAS); and the Voyager I and II encounters with Saturn.

General Assembly

The Special Political Committee of the 36th General Assembly considered the items "International cooperation in the peaceful uses of outer space" and "Preparation of an international convention on principles governing the use by states of artificial earth satellites for direct television broadcasting" together during six meetings between October 27 and 30. On October 28 Austria introduced two draft resolutions, sponsored by most of the members of the Outer Space Committee including the United States, both of which were adopted by the Special Political Committee without a vote, on October 30. On November 18 the Assembly in plenary session adopted the Committee's draft resolutions, also without a vote.

In the first of these resolutions the Assembly endorsed the report of the Committee on the Peaceful Uses of Outer Space and decided that the work program of the 21st session of its Legal Subcommittee should continue to include on a priority basis consideration of legal principles of remote sensing, the possibility of supplementing the norms of international law on the use of nuclear power sources, and matters relating to the definition and/or delimitation of outer space and the geostationary orbit. The Assembly also decided that the Committee should make further attempts during its 25th session to complete draft principles on direct television broadcasting by satellites. The resolution also fully endorsed the Outer Space Committee's recommendations concerning the work of its Scientific and Technical Subcommittee. (Resolution 36/35.)

The second resolution approved the recommendations of the Preparatory Committee regarding the Second UN Conference on the Exploration and Peaceful Uses of Outer Space. In addition it reiterated its request to the Secretary General to make all necessary appointments of Conference officers without further delay, and not later than December 31, 1981, to ensure the efficient preparation of the Conference. (Resolution 36/36.)

LAW OF THE SEA

On March 2, 1981, the Administration announced that it would undertake a thorough review of the Draft Convention on the Law of the Sea. Accordingly the U.S. delegation to the 10th session of the Third UN Conference on the Law of the Sea (March 9–April 16) was instructed to ensure that the negotiations aimed at the conclusion of a comprehensive treaty remained open, pending the completion of the review. Because of the considerable complexity of the Draft Convention and because of the need for close consultations with the Congress, the domestic private sector, and foreign governments, the review was not completed before the resumption of formal negotia-

tions in late summer (August 3-28). The United States did not present specific amendments to the Draft Convention during the summer session, as the Administration's review was continuing. The United States did present, however, U.S. concerns regarding the seabed mining provisions of the text, which were the primary focus of the review. These concerns related to such matters as the powers and decisionmaking structure of the proposed International Seabed Authority, limitations on the production of seabed minerals to protect land-based producers, entering into force of amendments, conditions for the transfer of technology, and participation of liberation movements such as the PLO in the proceeds of deep seabed mining.

The U.S. effort at the summer session was designed to elicit specific responses from other Conference participants, so that the United States could obtain a better idea of the negotiability of improvements on these and other important issues. The response from other delegations, while not specific, demonstrated a degree of latitude and flexibility to make some important changes in the existing text.

On December 9 the 36th General Assembly adopted, without a vote, a resolution that approved the convening of the 11th, final decisionmaking session of the Third UN Conference on the Law of the Sea to be held March 8-April 30, 1982, in New York. (Resolution 36/79.)

GENERAL POLITICAL PROBLEMS

Membership

During 1981 Vanuatu (formerly New Hebrides), Belize, and Antigua and Barbuda were admitted to the United Nations, bringing total membership by the end of the year to 157.

VANUATU

Vanuatu became independent on July 30, 1980, and on May 22, 1981, the Prime Minister of Vanuatu submitted his country's application for UN membership to the Secretary General.

The Security Council, on July 8, referred the application to its Committee on the Admission of New Members (a committee of the whole). On the same day the Committee approved Vanuatu's application and the Security Council unanimously adopted resolution 489 (1981) recommending that the General Assembly admit Vanuatu to UN membership. Following the vote the U.S. Representative, Am-

bassador Lichenstein, said the United States was pleased to support the membership of Vanuatu, noting that the Peace Corps will begin a program in Vanuatu during fiscal year 1982 and that on June 30, 1981, the Agency for International Development contributed almost \$500,000 for training in plantation management through the International Human Assistance Program.

BELIZE

Belize became independent on September 21, 1981, and the Prime Minister of Belize submitted his country's application for UN membership to the Secretary General on the same day.

On September 23 the Security Council referred the application to its Committee on the Admission of New Members which recommended that Belize be admitted. On the same day the Security Council unanimously adopted resolution 491 (1981) recommending that the General Assembly admit Belize to UN membership. The U.S. Permanent Representative, Ambassador Kirkpatrick, said the United States has supported Belize's application and cited ties extending back more than two centuries which constitute a special relationship between the two peoples reflected in many common traditions and values.

ANTIGUA AND BARBUDA

Antigua and Barbuda became independent on November 1, 1981, and on the same day its Deputy Prime Minister submitted his country's application for UN membership to the Secretary General. The Security Council, on November 10, referred the application to its Committee on the Admission of New Members. On the same day the Committee recommended that Antigua and Barbuda be admitted and the Security Council adopted resolution 492 (1981) making the same recommendation to the General Assembly. Ambassador Lichenstein said the United States was proud to support the membership application of Antigua and Barbuda.

GENERAL ASSEMBLY ACTION

On September 15, the opening day of its 36th session, the General Assembly adopted, by acclamation, a resolution admitting Vanuatu to UN membership. (Resolution 36/1.) Speaking after the adoption of the resolution, Ambassador Kirkpatrick welcomed Vanuatu to the United Nations. She noted that the new members from the Pacific region have brought the unique perspectives of their geography and cultural traditions, as well as a commitment to democracy, development, and world peace, which have strengthened the Organization.

On September 25 the General Assembly adopted a resolution admitting Belize to UN membership by a vote of 144 (U.S.) to 1 (Guatemala), with 0 abstentions. (Resolution 36/3.) Guatemala's opposition stemmed from a territorial dispute with the United Kingdom concerning Belize. Speaking before the vote, Guatemala outlined the history of the dispute, expressed strong opposition to the admission of Belize, and complained that the Security Council had violated the Charter by refusing to consider Guatemala's territorial dispute with the United Kingdom before recommending the admission of Belize as a new member. Speaking after the vote, Ambassador Kirkpatrick welcomed Belize as the newest member of the United Nations and hoped that through persistent effort, patience, and above all mutual good will, Belize and Guatemala would soon resolve their differences.

On November 11 the General Assembly adopted by acclamation a resolution admitting Antigua and Barbuda to UN membership. (Resolution 36/26.) Ambassador Lichenstein, in welcoming the newest member state, noted that through the years the United States and Antigua and Barbuda had enjoyed a history of friendship and mutual assistance. He cited the establishment in 1967 of a Peace Corps contingent on the island and the construction of a U.S. Air Force space-vehicle tracking and communications station as examples of past cooperation between the two nations.

Appointment of the Secretary General

This item was automatically included on the agenda for the 36th General Assembly as Secretary General Waldheim's term was scheduled to expire on December 31, 1981. Under Article 97 of the UN Charter, the Secretary General is appointed by the General Assembly on the recommendation of the Security Council.

When the 36th General Assembly convened on September 15, the only two announced candidates for the office were incumbent Secretary General Waldheim and Tanzanian Foreign Minister Salim A. Salim. Foreign Minister Salim had received OAU endorsement in June and subsequently that of the non-aligned movement at their ministerial meeting September 25-28 in New York.

The Security Council first held informal consultations on October 21 to settle on the procedures for arriving at a recommendation to the General Assembly on the appointment of a Secretary General. At that meeting it was agreed that the Council would meet on October 27 in closed session to consider the candidacies of Secretary General Waldheim and Foreign Minister Salim. Council members further agreed that any member state could propose a candidate at any time during the balloting. After this informal session the former Under Secretary General for Special Political Affairs, Ambassador Javier

Perez de Cuellar (Peru), and Ambassador Carlos Ortiz de Rozas (Argentina) were nominated by their countries with the tacit understanding that their names would be entered in the balloting only if Foreign Minister Salim stepped aside.

On October 27 the Security Council met in closed session and held four rounds of balloting. Finding itself deadlocked, the Security Council agreed to adjourn until the next day, October 28, to resume balloting.

The Council met on October 28 for two ballots, November 4 for two ballots, and November 17 for eight ballots. Secretary General Waldheim never received fewer than the nine votes required for recommendation, but a veto cast by a permanent member blocked his selection on each ballot. Similarly, on those ballots in which Foreign Minister Salim received 9 votes or more, his selection was blocked by the negative vote of a permanent member.

Efforts by the Security Council President for November, Taieb Slim (Tunisia), to find a way out of the impasse were unsuccessful as Council members, in informal consultations, failed to agree on an alternative course of action. Meanwhile the Security Council received the additional nominations of former UN High Commissioner for Refugees, Sadruddin Agha Khan, Commonwealth Secretary General Shridath Pamphal, Mauritian Permanent Representative Radha Krishna Ramphul, and Panamanian Foreign Minister Jorge Illucea. Following the example of Ambassadors Perez de Cuellar and Ortiz de Rozas, the new candidates indicated they would enter the balloting only if Foreign Minister Salim stepped aside.

Upon becoming Security Council President on December 1, Ambassador Olara Otunnu (Uganda), in informal consultations with Security Council members, suggested a plan to end the deadlock. Both Secretary General Waldheim and Foreign Minister Salim would be asked to step down to allow consideration of other nominees. Following their agreement to withdraw the Security Council President would announce a deadline for the nomination of candidates in addition to those already announced. The Security Council members then would be polled informally on the candidates in a closed meeting, after which formal balloting would take place. Suggestions for a split term between Secretary General Waldheim and Foreign Minister Salim failed to receive adequate support.

Secretary General Waldheim, on December 3, and Foreign Minister Salim, on December 8, announced their withdrawal from the race to facilitate the Council's recommendation of a new Secretary General. At the same time both men said they wished to be reconsidered, if no other candidate won the Council's approval.

The Security Council President then asked for additional nominations by 6:00 p.m. on December 9. Three new candidates were nominated—Former Ecuadorian President Carlos Arosemena-Mon-

roy; Under Secretary General and Executive Director for the UN Fund for Population Activities Rafael Salas (Philippines); and former Director of the UN Office of Interagency Affairs in Geneva, Santiago Quijano-Cabellero (Colombia).

On December 11 the Security Council met in a formal closed session to conduct the informal poll. Results led to the withdrawal of two of the contenders: Foreign Minister Illueca and Permanent Representative Ramphul. In the formal balloting which immediately followed, Ambassador Perez de Cuellar won the Council's recommendation on the first ballot. The Council then adopted unanimously a resolution recommending to the General Assembly that Javier Perez de Cuellar be appointed Secretary General for a term of office beginning January 1, 1982, and ending December 31, 1986. (Resolution 494 (1981).)

On December 15 the General Assembly adopted by acclamation a resolution appointing Mr. Perez de Cuellar to the position of Secretary General as recommended by the Security Council. (Resolution 36/137.)

Following the resolution's adoption Ambassador Kirkpatrick congratulated the new Secretary General; referred to his "long and dedicated service to his government and to the United Nations"; noted with pleasure that "he is the first citizen of Latin America to be named to this important post"; and said, "I and my Government look forward with great pleasure to working closely with him in the months ahead."

Both President Reagan and Secretary of State Haig sent messages to the Secretary General-designate expressing their pleasure at his appointment and assuring him of U.S. cooperation and support.

Question of Peacekeeping

PEACEKEEPING GUIDELINES

Since its establishment by the General Assembly in 1965, the 33-member Special Committee on Peacekeeping Operations has been engaged in a comprehensive review of all aspects of peacekeeping operations, having as one of its objectives the drafting of guidelines for future operations. The Committee also considers questions related to the practical aspects of peacekeeping operations.

SPECIAL COMMITTEE

The Special Committee on Peacekeeping Operations⁹ held three meetings—July 17, August 6, and 26, 1981. In its report to the 36th

⁹ The 33 members of the Special Committee in 1981 were Afghanistan, Algeria, Argentina, Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

General Assembly (A/36/469) the Special Committee stated that "longstanding basic differences remain and that the task before the Committee will continue to be a difficult one, owing to the fundamental nature of the issues with which the Special Committee is faced." The Report continued that "in spite of the difficulty, it is believed that the importance of the issues is such that the mandate of the Special Committee should be renewed."

GENERAL ASSEMBLY

The Special Political Committee considered the report of the Special Committee at two meetings, held November 11 and 13, 1981. On November 13 the Chairman presented for consideration a draft resolution that had been prepared following informal consultations. At the same meeting the Committee adopted the draft resolution without a vote. The resolution urged the Special Committee, in accordance with its mandate, to renew its efforts to work toward the completion of agreed guidelines which will govern the conduct of peacekeeping operations of the United Nations, and requested the Special Committee to report again to the General Assembly at its 38th session.

On November 20, 1981, the General Assembly adopted the resolution without a vote. (Resolution 36/37.)

Speaking in the Special Political Committee on November 13, the U.S. Representative, Ambassador Lichenstein, said that the elaboration of peacekeeping by interposition is one of the greatest innovations of the United Nations. It is a major contribution to the maintenance of peace and security. That being the case, he continued, improved support for peacekeeping required that member states honor the financial component of collective security under the obligations of Article 17 of the Charter. The United States also considered that methods of increasing the efficiency of peacekeeping operations—including the earmarking of contingents, advanced training, and making advanced technology available to UN forces—were of prime importance. He concluded that the United States, for its part, will continue to work toward these ends.

Efforts Toward Strengthening the United Nations

SPECIAL COMMITTEE

The Special Committee on the Charter of the United Nations and on the Strengthening the Role of the Organization¹⁰ held its 6th

¹⁰ The 47 members of the Special Committee are: Algeria, Argentina, Barbados, Belgium,

session February 17–March 14, 1981, in New York. Operating through a working group which met in closed meetings, the Committee continued its consideration of the maintenance of international peace and security, begun at its 1979 session, and made some progress on a draft declaration on peaceful settlement of disputes. The Special Committee reported on its 1981 session to the 36th General Assembly. The report requested the General Assembly to consider the establishment of a working group at the beginning of its 36th session with a view to finalizing the draft Manila declaration on the peaceful settlement of disputes.

GENERAL ASSEMBLY

The Sixth Committee considered the Report of the Special Committee and the item on peaceful settlement of disputes jointly at 13 meetings held between October 21 and December 1. Approximately 70 states spoke in the general debate on these items.

Speaking in the Sixth Committee on October 28, the U.S. Representative, Robert B. Rosenstock, stated that the United States was prepared to discuss any and all proposals to improve the functioning of the UN system, stressing that the question was not whether the system should change but how. He explained that the rational course for the Special Committee to follow was to focus first on the areas of agreement to see what degree of reform and strengthening of the system is possible. Failure to focus first on these areas of agreement was to throw away any chance for meaningful reform and to opt instead for confrontation. The United States shared the impatience and frustration of others who believed that the work of the Special Committee had gone too slowly, but it would not be helpful if impatience led the Committee to undertake rash and counterproductive moves.

Mr. Rosenstock cautioned that any attempt to rush recommendations on only a part of the Special Committee's mandate likely would fail to maximize agreement on specific proposals and on the strengthening of the system as a whole. To alleviate some of the Special Committee's problems he suggested that a series of informal pre-session consultations be scheduled before the next Special Committee session.

On November 25 the Philippines introduced a draft resolution, ultimately sponsored by 39 states, to continue the Special Committee's mandate. Reflecting the positions expressed during debate on the item, the draft resolution requested the Special Committee both

Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.

to accord priority to those proposals on the maintenance of international peace and security, including those relating to the functioning of the Security Council, and to examine proposals before it with a view to according priority to those areas on which "general agreement seems possible and to make recommendations thereon."

At the same meeting Libya introduced a draft resolution, also on behalf of Mauritania, requesting that the Special Committee examine the abuse of the unanimity rule (veto) in the Security Council.

Also at that meeting, under the item on peaceful settlement of disputes, Romania introduced a draft resolution that requested the Special Committee to finalize the draft Manila declaration on the peaceful settlement of international disputes with a view to its consideration and adoption by the 37th General Assembly.

On December 1 the Soviet Union requested that separate votes be taken on the words "and to make recommendations thereon" contained in operative paragraph 2(b) and on operative paragraph 4(a) of the Philippine draft resolution. By a recorded vote of 89 to 15 (U.S.), with 6 abstentions, the Committee retained the phrase in paragraph 2(b) and by a recorded vote of 81 to 16 (U.S.), with 14 abstentions, retained paragraph 4(a). Before the voting Mr. Rosenstock explained that the United States would vote against the retention of the wording in the two paragraphs because it was unnecessary and provocative. The Sixth Committee then approved the draft resolution as a whole by a recorded vote of 100 (U.S.) to 0, with 14 abstentions.

The Committee, at the same meeting, approved the Libyan draft resolution on the abuse of the veto by a recorded vote of 34 to 33 (U.S.), with 43 abstentions. The U.S. Representative stated that the Libyan draft could only be construed as an attempt to prejudice the Special Committee's examination of the Security Council and its practices.

The December 1 meeting also adopted by consensus the Romanian draft resolution on peaceful settlement of disputes and a Mexican draft resolution requesting that the Secretary General give high priority to the preparation and updating of the *Repertoire of the Practice of the Security Council* and the *Repertory of Practice of the United Nations Organs*.

On December 10 the General Assembly adopted by consensus the Romanian draft resolution on peaceful settlement of disputes. (Resolution 36/110.)

On December 11 the General Assembly adopted by a recorded vote of 122 to 15 (U.S.), with 3 abstentions the resolution continuing the mandate of the Special Committee on the Charter. (Resolution 36/122.) In an explanation of vote afterward, the U.S. Representative, George Christopher, noted that although the United States had voted in favor of the draft resolution in the Sixth Committee, the

Committee had, since that action, chosen to adopt additional, wholly unnecessary recommendations on the same subject, i.e., the Libyan draft resolution. In light of that development the United States had been forced to reassess its attitude toward the matter and had thus voted against the draft resolution in plenary. He stated that if the second draft resolution were not adopted by plenary, the United States would be pleased to revert to the vote it cast in the Sixth Committee.

The General Assembly then proceeded to adopt a Finnish motion not to put the Libyan resolution to a vote by a recorded vote of 62 (U.S.) to 32, with 35 abstentions.

The General Assembly completed consideration of the item by adopting by consensus the Mexican resolution on the *Repertoire of Practice of the Security Council* and *Repertory of Practice of the United Nations Organs*. (Resolution 36/123.)

Strengthening International Security

In 1969 the Soviet Union proposed an agenda item for the General Assembly on the "Strengthening of international security." The Assembly adopted a Soviet-sponsored declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for implementing the Declaration have been considered annually since 1971 by the General Assembly. Although the United States voted in favor of the initial Declaration, it has often abstained or voted against subsequent resolutions under this item on the grounds that they contribute little to easing international tensions or strengthening security and merely restate the purposes and principles of the UN Charter in the form of General Assembly resolutions. Moreover, some of these resolutions have contained elements unacceptable to the United States.

In 1979 the General Assembly, in the course of its consideration of the item on strengthening of international security, decided to consider as a separate agenda item, beginning at its 36th session, the related subject of the development of relations of good-neighborliness between states.

The items on strengthening of international security and the development of relations of good-neighborliness were referred to the First Committee of the 36th General Assembly, where they were considered jointly at seven meetings between November 27 and December 3. The Committee approved four draft resolutions on the two topics.

Romania introduced a draft resolution, ultimately sponsored by 31 states, entitled "Development and strengthening of the principles of

good-neighborliness between states." It later revised the draft to eliminate reference to "codification" and "defining" elements of an international code of good-neighborliness. The revised draft (1) called upon all states to promote the principle of good-neighborliness in their relations with other states, (2) affirmed that good-neighborliness is founded upon strict observance of the principles contained in the UN Charter and the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among states as well as in the rejection of any acts seeking to establish zones of influence and domination, (3) expressed the belief that it is necessary to examine the principle of good-neighborliness in order to strengthen and further develop its content, and (4) invited governments to communicate their views on the matter to the Secretary General and for UN bodies to inform the Secretary General of their activities relevant to the development of relations of good-neighborliness between states.

The First Committee approved the draft resolution on December 3 without a vote. The resolution was adopted by the General Assembly in plenary session on December 9, also without a vote. (Resolution 36/101.)

An omnibus draft resolution dealing with various aspects of the strengthening of international security Declaration was introduced by Yugoslavia. Ultimately sponsored by 20 states, the resolution, among its most important provisions, (1) called upon states to contribute to the implementation and further elaboration of the Declaration, (2) urged that all members of the Security Council, especially its permanent members, consider and undertake, as a matter of urgency, necessary measures for ensuring respect for provisions of the UN Charter in the implementation of decisions of the Security Council on the maintenance of international peace and security, (3) called upon states to adhere to the purposes and principles of the Charter, reaffirming its opposition to any threat or use of force, intervention, interference, aggression, foreign occupation or measures of political and economic coercion which violates the sovereignty, territorial integrity, independence, and security of states or their right freely to dispose of their natural resources; (4) called upon states to refrain from any act which may hinder the continuation of the process of relaxation of international tension, hamper implementation of effective measures for halting the arms race (particularly the nuclear arms race), and postpone implementation of the new international economic order; (5) reaffirmed the legitimacy of the struggle of peoples under colonial domination, foreign occupation, or racist regimes to achieve self-determination; (6) reiterated its support for the Indian Ocean and the Mediterranean as Zones of Peace; and (7) commended the Conference on Security and Cooperation in Europe.

The draft resolution was approved by the First Committee on December 3 by a recorded vote of 93 to 0, with 21 (U.S.) abstentions and was adopted in plenary session on December 9 by a recorded vote of 127 to 0, with 20 (U.S.) abstentions. (Resolution 36/102.)

In explaining the U.S. position before the First Committee, the U.S. Representative, David M. Adamson, commended the sponsors of the resolution for their extensive consultations in an attempt to fashion a consensus draft and for highlighting human rights and other fundamental freedoms. However, he stated that the United States had abstained because of the resolution's open-ended support for the 1971 Indian Ocean Zone of Peace mandate and national liberation movements, as well as references to international control of natural resources.

Guyana introduced a draft resolution on behalf of the non-aligned nations that contained a draft declaration on the "Inadmissibility of Intervention and Interference in the Internal Affairs of States." The draft called for, *inter alia*, the establishment of a new international information order, a freeze in existing military alliances, and a state's permanent sovereignty over its natural resources. Although the United States indicated in its First Committee statement strong support for the principle of non-interference, the United States voted against this resolution and reiterated its belief that this principle could best be implemented by universal adherence to the purposes and principles of the UN Charter. The draft resolution was approved by the First Committee on December 3 by a recorded vote of 90 to 21 (U.S.), with 8 abstentions and adopted in the plenary Assembly on December 9 by a recorded vote of 120 to 22 (U.S.), with 6 abstentions. (Resolution 36/103.)

On December 9 the Assembly also adopted a Polish draft resolution on the implementation of the Declaration on the Preparation of Societies for Life in Peace, which concerned a proposal first submitted by Poland in 1978. The resolution reaffirmed many of the principles of the UN Charter and called for concerted action by the United Nations, governments, and other concerned agencies to prepare societies for life in peace. The resolution, approved by the First Committee on December 3 by a vote of 114 to 0, with 2 (U.S.) abstentions, was adopted in plenary by a vote of 143 to 0, with 2 (U.S.) abstentions. (Resolution 36/104.) In explaining the U.S. abstention before the First Committee, the U.S. Representative, Ambassador Kenneth L. Adelman, said that the United States was in full accord with the intent of the initiative but noted two fundamental flaws in the Declaration: (1) inadequate reference to basic human rights and (2) reference to the responsibility of governments to achieve the "positive molding of human consciousness." Ambassador Adelman stated:

The United States holds that policies and goals are worthy of support only if they earn the willing assent of the people without coercion or manipulation by authority. We believe that the ordinary person, wherever he may reside on this earth, does not need to be taught to wish to live in peace. Threats to peace arise, not from ordinary people, but from the leaders and wielders of power, particularly from powerful leaders who feel no need or desire to consult the wishes of their subjects.

For those reasons, which are quite important to us, the United States will abstain in the vote on this otherwise noble draft resolution.

Other Western delegates alluded to similar shortcomings in the Declaration, but nevertheless voted for the resolution.

Declaration of a Peace Year, a Peace Month, and a Peace Day

The "Declaration of a Peace Year, a Peace Month, and a Peace Day" was included on the agenda of the 36th General Assembly at the request of Costa Rica. The request noted that the International Association of University Presidents had held its 6th Triennial Conference in San Jose, Costa Rica in 1981. The Conference endorsed the conclusion that the most stable and effective means of achieving lasting and real peace was education. The Association felt that a Peace Year, a Peace Month, and a Peace Day—the latter to be observed on a continuing basis—would serve as a constant reminder of man's ardent longing for the attainment of this universal peace dreamed of by all the peoples of the United Nations and promote the search for an effective means of establishing it, not simply as an absence of war or conflict, but as a positive reality based on justice.

On November 27 Costa Rica introduced a draft resolution entitled "Declaration of a Peace Year, a Peace Month, and a Peace Day." After consultation, a revised draft resolution entitled "International Year of Peace and International Day of Peace," sponsored by 20 member states, was introduced on November 30 and adopted by consensus on the same day. (Resolution 36/67.)

The resolution, among other things, invited the ECOSOC to consider at its first regular 1982 session, the possibility of declaring an International Year of Peace at the first practicable opportunity, taking into account the urgency and special nature of such an observance, and to submit its recommendations to the 37th General Assembly on the basis of appropriate arrangements for the timing, organization, and financing of the Year. The resolution also declared the third Tuesday of September, the opening day of the regular session of the General Assembly, to be dedicated officially and observed as an International Day of Peace.

Questions Relating to Information

In August after more than 5 months of effort in the 67-member Committee on Information¹¹—a subsidiary body of the General

¹¹ The members of the Committee on Information in 1981 were Algeria, Argentina,

Assembly of the United Nations—the United States and its allies succeeded in gaining a consensus report of the Committee with little of the rhetoric associated with the New World Information Communication Order and with clear strictures against growth in the budget of the UN Department of Public Information.

At nine meetings of the Special Political Committee between October 15 and December 3, when the report of the Committee on Information was being developed into an omnibus resolution on information in the General Assembly, the political consensus previously reached was maintained. However, unacceptable financial implications were drawn by the UN Secretariat and subsequently supported by the Group of 77 in the Fifth Committee. Although the United States had joined a consensus on this draft in the Special Political Committee on December 3, it subsequently voted against the omnibus resolution in the plenary Assembly because of the firm U.S. opposition to these financial implications. The vote, on December 16, was 147 to 2 (Israel, U.S.), with 0 abstentions. (Resolution 36/149 B.)

In casting its negative vote the United States deplored the breakdown of the summer consensus and noted that resources which might have been applied to enhancing essential services would be devoted to activities marginal to the core interests of the United Nations.

Meanwhile another General Assembly draft resolution calling upon developed and developing countries, intergovernmental organizations, and concerned public and private enterprises to contribute to UNESCO's International Program for the Development of Communication, was approved by consensus in the Special Political Committee on December 3 and adopted by the Assembly on December 16, also by consensus. (Resolution 36/149 A.)

Question of Increase in Security Council Membership

On January 16, 1981, at its resumed session, the 35th General Assembly decided without objection to postpone consideration of the item on Security Council enlargement until a later date, to be announced after further consultations.

On September 14 at a further resumed session of the 35th General Assembly, it was decided without objection to include the item on the draft agenda of the 36th Assembly, to be considered by the General Committee.

Bangladesh, Belgium, Benin, Brazil, Bulgaria, Burundi, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guatemala, Guinea, Guyana, India, Indonesia, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syria, Tanzania, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, Vietnam, Yemen, Yugoslavia, and Zaire.

During the General Committee's consideration of the draft agenda item on September 16, the U.S. Representative, Ambassador William Sherman, speaking against inscription, observed that any increase in the size of the Security Council would make the Council's efforts to keep the peace more difficult. The General Committee then proceeded to decide by a vote of 24 to 4 (U.S.), with 0 abstentions, to recommend including the item, and, without a vote, to allocate it to the plenary Assembly for consideration. On September 18 the General Assembly approved the recommendation of the General Committee without objection.

On December 18, at the suggestion of the President, the Assembly postponed consideration of the item until the resumed session of the 36th Assembly in 1982.

Historical Responsibility of States for the Preservation of Nature

The "Historical Responsibility of States for the Preservation of Nature" was included on the agenda of the 35th General Assembly at the request of the U.S.S.R. The resolution adopted at that time, *inter alia*, drew attention of states to the fact that the continuing arms race had pernicious effects on the environment and reduced the prospects for the necessary international cooperation in the preservation of nature on our planet, and requested the Secretary General, with the assistance of the UN Environment Program (UNEP), to prepare a report on the pernicious effects of the arms race on nature. (Resolution 35/8.)

On October 27 the U.S.S.R. again introduced a draft resolution under the same agenda item. This draft resolution requested the Secretary General, again with the cooperation of UNEP, to complete the report undertaken by virtue of resolution 35/8. This report would contain recommendations for the adoption by states of specific obligations and measures relating to the protection of nature from the pernicious effects of the arms race, and to the limitation and prohibition of the types of military activity which present the greatest danger for nature. The Secretary General was requested to submit the report to the second special session of the General Assembly devoted to disarmament.

The draft was adopted on the same day by a recorded vote of 80 to 0, with 55 (U.S.) abstentions. Speaking after the vote the U.S. Representative, Ambassador Jose Sorzano, said that the United States had abstained for the same reason it had abstained the previous year. At that time the United States had pointed out that UNEP recently had completed a report of the state of the environment dealing, *inter alia*, with the environmental effects of military

activity. The United States continued to hold the view, expressed previously, that UNEP should not be burdened with repeating a task that essentially had been completed.

Part 2

Economic, Social, Scientific, and Human Rights Affairs

Chapter III of the UN Charter established the General Assembly and the Economic and Social Council (ECOSOC) as the principal organs of the United Nations responsible for the issues covered in Part 2 of this report. ECOSOC's limited membership (54 countries), however, has led the developing countries to prefer the General Assembly and its subsidiary bodies—where they enjoy their maximum voting strength—for substantive discussion and action on international economic issues, especially those directly related to development. As a result the General Assembly has created entities (described in this part) for substantive discussion and action on international economic issues, especially those directly related to development. These include the UN Conference on Trade and Development (UNCTAD) and the proposed global negotiations, still under debate at the end of 1981, which the developing countries want to replace the Committee of the Whole (COW), which ended in 1980.

The General Assembly and these entities constitute an important element of what has come to be called the North/South dialogue between developed and developing countries, which proceeds on the bilateral, regional, and multilateral planes. The North/South distinction between developed and developing countries, however, tends to mask the significant differences within each group and to overlook the high degree of economic interdependence that exists between developed and developing countries.

The General Assembly, in its regular sessions, is organized into seven committees. The Second Committee is responsible for economic and financial affairs and the Third Committee, for cultural, humanitarian, and social matters. Most issues considered by the Committees are forwarded by ECOSOC, but some are introduced initially to the General Assembly for consideration.

ECOSOC consists of its plenary body; five regional economic commissions; seven functional commissions; and a varying number of subcommissions, working groups, and expert groups. The regional economic commissions and many of the other bodies are covered in this part.

All elements of the UN system primarily concerned with the issues in this section usually report to the General Assembly through

ECOSOC. ECOSOC may require changes in the reports from organizations directly subsidiary to it. It is authorized only to comment on reports from other bodies (such as UNCTAD and the specialized agencies) before conveying them to the General Assembly.

ECONOMIC ACTIVITIES

Global Negotiations

On December 14, 1979, the 34th General Assembly adopted by consensus resolution 34/138 calling for "a round of global and sustained negotiations on international economic cooperation for development." The resolution provided for universal UN participation in the simultaneous negotiation of major international economic issues in the fields of raw materials, energy, trade, development, money, and finance. The resolution directed the Committee of the Whole to work out the procedures, agenda, and time-frame for global negotiations to enable the General Assembly at a special session in 1980 to decide on an effective and prompt beginning of global negotiations.

Although joining in the consensus, the United States has had some major areas of serious concern in regard to this resolution since it was adopted. It does not state clearly that the Committee must agree on the procedures and agenda before global negotiations begin, and it does not afford adequate protection for the specialized agencies already within the UN system, e.g., the IBRD, IMF, and GATT. The U.S. statement of interpretation, delivered at the time the resolution was adopted, covered both of these points. Also the resolution is not compatible with the four essential understandings outlined in the President's statement at the Cancun Summit in October 1981 (see p. 84), and it emphasizes the need to establish a new system of international economic relations, the so-called "new international economic order." The United States believes that a global dialogue based on the premise that its purpose is to bring about the new international economic order would be confrontational and unlikely to lead to mutually beneficial progress.

The basic controversy continued to center on the relationships which would exist in the conduct of global negotiations between the central body envisioned by the resolution and the specialized agencies. Protection of the specialized agencies remained the major issue preventing agreement on a new global negotiations resolution during the 36th regular session which adjourned in December 1981. (See below.)

The Committee of the Whole actively negotiated the procedures and agenda for global negotiations during 1980 and the 11th special session, but reached no agreement. While the regular session was in progress, informal negotiations took place in a small group of "Friends of the President" organized by then General Assembly President von Wechmar. Yet the session was adjourned on December 17 without agreement. It has been stated inaccurately that agreement was almost reached at that time. Just before the adjournment President von Wechmar, in an effort to summarize the negotiations during 1980, presented his procedures and agenda text as a basis for further consideration. However, many of the participants, including the United States, seriously objected to various parts of both the procedures and agenda in the von Wechmar text.

At a resumed session of the 35th regular session on January 15, 1981, President von Wechmar was authorized to continue his formal consultations on global negotiations and to call meetings as appropriate. In March the United States informally told President von Wechmar that the new administration was reviewing its economic policy toward the developing countries, including its position on global negotiations. At a General Assembly Meeting of the Whole on May 5, the United States proposed that the issue of global negotiations be deferred at least until the 36th regular session and after the economic summits which were to take place in July at Ottawa and in October at Cancun, Mexico. The United States asserted that the heads of state would benefit from each other's experience and perspectives at Ottawa and Cancun and be in a better position to decide later about global negotiations. All other participants would have been willing to resume preparations for global negotiations at that time, but it was recognized that this would be pointless without the United States.

Seven heads of state or government from developed countries participated in the Ottawa Summit July 19-21.¹ The declaration issued at the conclusion of the Summit did not commit the participants to global negotiations as defined by resolution 34/138. Joining in the declaration was simply a statement by the United States of its ongoing engagement in the dialogue on global economic issues and its willingness to continue this dialogue in appropriate forums, in a process acceptable to all participants, and in circumstances offering the prospect of meaningful progress. On September 14 the last meeting of the 35th General Assembly formally deferred global negotiations to the 36th regular session, where it was taken up in the plenary on November 4.

Heads of state or government from 22 developed and developing countries participated in the Cancun Summit October 21-23.² By

¹ Countries represented at Ottawa: Canada, France, Federal Republic of Germany, Italy, Japan, United Kingdom, and United States.

² Countries represented at Cancun: Algeria, Austria, Bangladesh, Brazil, Canada, China, France, Federal Republic of Germany, Guyana, India, Ivory Coast, Japan, Mexico, Nigeria, Philippines, Saudi Arabia, Sweden, Tanzania, United Kingdom, United States, Venezuela, and Yugoslavia.

prior agreement, no declaration was made following the Summit. However, a summary of the meeting, which did not commit the participants, was issued on October 23 by the cochairmen, Pierre Elliot Trudeau (Canada) and Jose Lopez Portillo (Mexico). The summary included the following paragraph on global negotiations:

The heads of state and government confirmed the desirability of supporting at the United Nations, with a sense of urgency, a consensus to launch global negotiations on a basis to be mutually agreed and in *circumstances offering the prospect of meaningful progress* (emphasis added). Some countries insisted that the competence of the specialized agencies should not be affected.

President Reagan had said the following in his opening statement the day before:

It is our view that "circumstances offering the prospect of meaningful progress" are future talks based upon four essential understandings among the participants.

- The talks should have a practical orientation toward identifying, on a case-by-case basis, specific potential for or obstacles to development which cooperative efforts may enhance or remove. We will suggest an agenda composed of trade liberalization, energy and food resource development, and improvement in the investment climate.

- The talks should respect the competence, functions and powers of the specialized international agencies upon which we all depend with the understanding that the decisions reached by these agencies within respective areas of competence are final. We should not seek to create new institutions.

- The general orientation of the talks must be toward sustaining or achieving greater levels of mutually beneficial international growth and development, taking into account domestic economic policies.

- The talks should take place in an atmosphere of cooperative spirit similar to that which has brought us together in Cancun rather than one in which views become polarized and chances for agreement are needlessly sacrificed.

- If these understandings are accepted, then the United States would be willing to engage in a new preparatory process to see what may be achieved. I suggest that officials of our governments informally confer in the months ahead as to appropriate procedures.

The 36th regular session adjourned on December 18 without reaching agreement on a new global negotiations resolution. At the end of November a draft resolution attributed to General Assembly President Kittani was circulated in New York. This resolution would have convened a UN Conference for global negotiations in 1982 without prior agreement on procedures and agenda. After a careful review at the highest level, the United States offered four amendments which would have brought the draft into line with the four essential understandings in the President's statement at Cancun. Although several countries urged the Group of 77 to accept the U.S. amendments, the Group was unable to agree on a united response to the amendments or any of the other draft resolutions then under consideration. As previously noted, protection of the specialized agencies continued to be the major issue preventing agreement. On December 18 it was decided that further consideration of global

negotiations should be deferred to a resumed session in 1982 pending the outcome of informal consultations to be conducted under the guidance of President Kittani.

Long-Term Trends in Economic Development

Resolution 3508 (XXX) of December 1975 requested the Secretary General to prepare a comprehensive report on the long-term trends and forecasts in the economic development of the various regions and their mutual relationship, including methodological guidelines for the further examination of such trends in the regions because it was considered that the development of each country depends primarily on the mobilization of its resources and that international economic cooperation is a necessary component of that development.

On November 29, 1979, resolution 34/57 took note of the Secretary General's report and other work on this subject underway in the UN system. The resolution requested that this work be continued and that the Secretary General submit to the 35th session his views on the possible outline and method of preparation of an overall socio-economic perspective of the development of the world economy up to the year 2000. This was to be done in consultation with the Committee for Development Planning and taking into account the International Development Strategy (IDS) for the Third Development Decade. Special emphasis was to be given to the period through 1990 and the problems of the developing countries.

The Secretary General submitted an outline and interim report to the 35th General Assembly. Decision 35/420, adopted without a vote in December 1980, took note of the report and invited the Secretary General to continue his work. Contrary to the U.S. understanding of resolutions 3508 (XXX) and 34/57, which it believes called for a descriptive rather than a prescriptive type of report, the report and a partial draft report submitted to the second regular session of ECOSOC in 1981 suggested the Secretary General's intent to prepare a final report recommending policy measures to accommodate the objectives of the New International Economic Order and the IDS.

On November 27, 1981, the Second Committee approved a draft decision submitted by the Chairman of the Committee. The draft "took note of the note" by the Secretary General on the progress of his report and deferred to the 37th session a review of the understanding called for in resolution 34/57. The question of the content of the preliminary reports was not taken up during the session. The draft decision was adopted without a vote in the plenary assembly on December 4. (Decision 36/423.)

Economic Commission for Europe

The Economic Commission for Europe (ECE), established in 1947, is one of five UN regional economic commissions reporting to the

General Assembly through ECOSOC. It has 34 regular members—the European members of the United Nations plus the United States, Switzerland, and Canada. Other UN member countries (e.g., Japan, Israel) participate in the Commission's work when it considers matters of particular concern to them. Composed largely of developed industrial nations, ECE focuses on problems confronting modern industrial societies, primarily from an East-West perspective. Decisions normally are made by consensus as reached in deliberations between the Eastern and Western caucuses.

ECE carries out its activities principally through 15 specialized committees—Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building, and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology—and a number of subsidiary bodies which deal with special problems included in the committees' programs. Additional subjects of interest to the Commission are dealt with by *ad hoc* groups which meet regularly, notably the Senior Advisers on Energy, the Group of Experts on Standardization Policies, and the Working Party on Engineering Industries and Automation. From time to time, and often in conjunction with other multilateral organizations such as FAO and ILO, ECE convenes special symposia, seminars, and conferences. Study tours to member countries occasionally are arranged in connection with such meetings. A substantial number of U.S. Government departments and agencies, as well as congressional and private sector representatives, actively participate in ECE-sponsored meetings.

The Commission currently is headed by Executive Secretary Janez Stanovik (Yugoslavia) and has a Secretariat composed of a number of economic specialists who arrange and assemble documentation for and service commission meetings, as well as prepare substantive surveys, studies, and statistical compilations for distribution to member governments.

ECE's terms of reference are broad, and over the years the nature of its work has paralleled changing European and Atlantic conditions and concerns. When first established, the ECE's principal focus was on European postwar economic reconstruction. Since then the Commission has evolved into a forum where East and West can consult on economic and technical problems of common interest. ECE's activities have taken on particular importance as a result of the Conference on Security and Cooperation in Europe (CSCE). The Final Act of that conference identified ECE as one of the major forums through which the participating states would continue the multilateral process initiated by the CSCE.

The Commission's 36th plenary session was held March 30–April 8, 1981, in Geneva. Despite an atmosphere of heightened East-West

tension created by the Soviet invasion of Afghanistan and the threat of intervention in Poland, the meeting was relatively nonconfrontational. Decisions were made to convene an *ad hoc* meeting on terms of reference for a pilot project to monitor and evaluate transboundary water pollution, to proceed with planning for projects concerning water problems in agriculture, to continue work on harmonization of summer time (daylight-saving time), and to prepare specific proposals on potential ECE contributions to the followup on the UN Conference on Science and Technology for Development. The U.S.S.R. sought to obtain a consensus on devoting priority attention to the preparation and selection of topics for a high-level meeting on energy—first proposed by Party Secretary General Brezhnev in 1975—but the Commission agreed only to request the Secretariat to prepare an improved version of its study on energy problems and cooperation in the ECE region for presentation to the Fourth Session of the Senior Advisers on Energy (SAE) later in the year. When the SAE met in November, the Eastern and Western caucuses were unable to agree on revisions to the study and no steps were taken concerning a high-level meeting.

On November 30 the United States became the 11th state³ to accept the ECE Convention on Long-Range Transboundary Air Pollution, which was signed in 1979 at a meeting of Environment Ministers or their counterparts from ECE member countries. The Convention provides for cooperative formulation of policies to reduce and control the discharge of air pollutants across national borders.

Economic and Social Commission for Asia and the Pacific

The Economic and Social Commission for Asia and the Pacific (ESCAP) was established in 1947. The United States was 1 of the 10 original members. Currently there are 35 members and with the addition of Guam on March 10, 1981, 9 associate members. Five members (France, Netherlands, U.S.S.R., the United Kingdom, and the United States) are from outside the region, which covers a huge area from Mongolia south to New Zealand and from Iran east to the island countries in the Pacific. ESCAP's headquarters is in Bangkok, although some subsidiary bodies and other activities are located in other Asian cities.

ESCAP's primary role is to serve member countries by identifying problems in the areas of social and economic development; providing a forum for debate on development issues, and technical assistance, and advisory service; and helping member countries attract outside assistance. It does not itself provide capital resources but helps establish institutions to attract funds for regional and subregional projects which, in turn, supply development assistance.

³ Other countries that have accepted the Convention are Bulgaria, Byelorussian S.S.R., Finland, France, Hungary, Norway, Portugal, Sweden, Ukrainian S.S.R., and U.S.S.R.

The annual Commission session provides the main guidance for ESCAP's program and activities. In addition, nine substantive committees cover specific fields and meet between Commission sessions: Agricultural Development; Development Planning; Industry, Human Settlements, and Technology; Natural Resources; Population; Social Development; Statistics; Trade; and Shipping, Transport, and Communications. The present work program and activities are concentrated in six priority areas: food and agriculture, energy, raw materials and commodities, transfer of technology, international trade, and integrated rural development.

The ESCAP Secretariat—headed by a new Executive Secretary, Mr. S.A.M.S. Kibria (Bangladesh)—is responsible for preparing and servicing the meetings of the Commission and the substantive committees. The Secretariat also prepares surveys, reports, and compiles statistics on current economic issues in the region which are distributed to member governments.

Increasingly, ESCAP has been broadening its activities in the Pacific. Late in 1980 an ESCAP Liaison Office for the Pacific was established in Nauru. Currently, of the 28 principal island groups in the Pacific, 13 are members or associate members of ESCAP.

The Commission's 37th plenary session was held March 10–21, 1981, in Bangkok. The main focus was discussion of the Commission's report on the "Short-Term Economic Policy Aspects of the Energy Situation in the ESCAP Region." All the delegations praised the Secretariat for producing a technically competent and comprehensive report. They also concurred with the report's conclusion that in the short-term dependence on petroleum would continue and in some cases increase, and that this dependence would present serious difficulties to developing member countries.

The session was marked however, by a higher level of political rhetoric compared to previous sessions, as various delegations publicly disagreed over the causes of political instability in Afghanistan and Kampuchea and their implications for the region. The United States, while strongly refuting Soviet allegations about U.S. policy in the region and the role of transnational corporations, underscored the negative effects of intervention by the Soviet Union and its allies in the region. During the discussions on the work of the Mekong Committee, polemics were exchanged on the Kampuchea question between Democratic Kampuchea and China on one side and Vietnam supported by Laos and the U.S.S.R. on the other. The debate ended after the Secretariat's language was accepted for the report on the Mekong Committee.

Other issues debated included proposals for the Commission to hold exclusive meetings for the developing countries to prepare negotiating positions for the Multifiber Agreement, the effects of the Multilateral Trade Negotiations (MTN) on countries in the region,

and the application of the International Development Strategy to the Commission's future work program.

A major objective attained by the United States was the Commission's approval of Guam's application to become an associate member of ESCAP.

Economic Commission for Latin America

The Economic Commission for Latin America (ECLA) was established in 1948 as a regional organization to promote the economic and social development of Latin America and to strengthen economic ties among Latin American countries, and between them and the rest of the world. To this end ECLA produces studies of various sectors and issues within the Latin American economy, analyzes economic and social conditions in the region, reviews the progress of development plans and programs, and provides training and technical assistance. ECLA has 33 Western Hemisphere members (including the United States and Canada), 4 nonregional members (France, the United Kingdom, the Netherlands, and Spain), 1 associate member (the Netherlands Antilles⁴), 3 associated states, and 2 consultative members (Federal Republic of Germany and Switzerland). ECLA has its headquarters in Santiago, Chile, has branch offices in Washington and six Latin American cities.

At its 19th session—held May 4–15, 1981, in Montevideo, Uruguay—ECLA adopted 25 resolutions and decisions. The major substantive issue at the session was the proposed Latin American regional strategy for the UN Third International Development Decade. The United States opposed and eventually voted against the resolution on that issue because it contained many unacceptable items that previously had been negotiated out of the International Development Strategy resolution, and because it included unacceptable New International Economic Order references. The resolution was adopted by a vote of 15 to 1 (U.S.), with 4 abstentions. The U.S. delegation voted against the resolution because, although it was satisfied with many of the elements of the Regional Program of Action, it could not agree with certain sections. In its view the section on international cooperation represented a retreat from the consensus reached in the International Development Strategy and infringed on matters properly the concern of other bodies. The United States voted against two other resolutions, "Institutional Aspects" and "International Trade and Access to Markets," and abstained on the resolution dealing with "Agricultural Trade and Food Security". The United States voted against the resolution on institutional aspects, because it was discouraged that the final text had not taken account of U.S. observations on the draft.

⁴ The Netherlands Antilles was admitted to membership as an associate member on May 14, 1981, at the 19th session.

The main theme throughout the session was debate over the role of ECLA's developed country members, including the United States, in the organization. A number of delegations argued that those countries should not have interfered with Latin America's deliberations on issues such as development strategy, because they were not directly concerned with the resolutions under discussion. The United States did not agree. The delegation pointed out that, as a full member, the United States had the responsibility to vote against resolutions it opposed to avoid implying U.S. endorsement of their subject matter by allowing a consensus to be reached.

Formal meetings of the ECLA Commission are biennial, with the next scheduled for May 1983. A decision regarding the venue of the 20th session of the Commission will be taken at the 15th session of ECLA's Committee of the Whole to be held in 1982.

The Economic Commission for Africa

The Economic Commission for Africa (ECA) was established in 1958 as a subsidiary body of ECOSOC. Full membership is limited to independent African countries and currently numbers 51. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA headquarters in Addis Ababa, attending many of its meetings as an observer, and providing financial and technical assistance.

ECA is charged with: (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies on economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping to formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

The 7th Annual Meeting of the ECA Conference of Ministers was held in Freetown, Sierra Leone, April 6-10. In attendance were 42 African members and 14 observers, including the United States, several European and Eastern European countries, Cuba, and India. Also represented were a number of UN agencies. A major subject of discussion at the meeting was the UN Transport and Communications Decade in Africa and particularly the lack of success in obtaining financial support for the Decade. ECA is the lead organization in this undertaking, which runs from 1978 through 1988. Considerable attention also was given to the Lagos Plan of Action and its cardinal principal of self-reliance as a means of promoting economic development. The Conference accepted an invitation by Libya to host the 8th Annual Meeting in Tripoli in April 1982. U.S. relations with Libya will preclude its attendance at the 1982 meeting.

Major direct U.S. involvement with ECA has been through the AID program. Support for ECA projects under a 5-year grant ending on June 16 totaled about \$3.5 million, of which \$360,000 was made available during the final year of the grant. The projects concentrate on basic human needs in the following areas: (1) women's programs including training in health, family planning, and agriculture, and support for the African Training and Research Center for Women; (2) rural development with emphasis on agricultural production and marketing; (3) remote sensing including training Africans in satellite data analysis and financing of the Africa Remote Sensing Council; and (4) collection of statistics, mainly on agricultural production and population. No decision has been reached on the establishment of a new AID grant.

Economic Commission for Western Asia

The Economic Commission for Western Asia (ECWA) came into existence on January 1, 1974. ECOSOC resolution 1818 (LV) of August 1973 approved its establishment and, *inter alia* provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on services of the UN Economic and Social Office in Beirut." That wording limited the original membership to 12 Arab states (Egypt and the PLO were admitted in 1977)⁵ and effectively excluded Israel—even though it is a UN member of the region involved—because it had not used the office in Beirut. The United States objected at that time, considering that the language was contrary to the terms of the UN Charter. The United States likewise objected in 1977 when ECWA recommended a change in the terms of reference to grant full membership to the PLO. ECOSOC approved the admission of the PLO to full ECWA membership by a vote of 27 to 11 (U.S.), with 12 abstentions. The United States was successful, however, in defeating an effort at the 1979 summer session of ECOSOC to expel Egypt from ECWA. Because of war damage to Beirut, ECWA headquarters is in the process of being moved permanently to Baghdad. In its substantive work ECWA continues to be overshadowed by other regional organizations to which its members belong.

The 8th session of ECWA took place May 3-7, 1981, in Sanaa, Democratic Yemen. Delegates representing 12 ECWA member states (Jordan did not attend) and the PLO were present along with delegations from the European Economic Community (EEC), Federal Republic of Germany, France, Hungary, India, the Netherlands, Tunisia, U.S.S.R., and the United States, who attended in a consultative capacity. The ECWA plenary adopted 19 resolutions which dealt

⁵ ECWA members in 1981 were Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and the PLO.

for the most part with routine non-controversial matters such as the International Year of Disabled Persons, the strengthening of statistical work in the ECWA region, and the ECWA publications program. The PLO repeatedly tried to generate increased support for a previously approved economic and social study and census of the Palestinian people, but succeeded only in getting a resolution passed reaffirming ECWA's intention to do those projects.

United Nations Development Program

The United Nations Development Program (UNDP) is a voluntary fund which finances the world's largest multilateral program of grant technical assistance. Established in 1966 through the merger of two earlier programs, the UN Special Fund and the Expanded Program of Technical Assistance, the UNDP is the main source for UN funding of technical assistance activities. In recent years it has financed about half of all technical assistance activities carried out by UN agencies. The UNDP responds to requests from developing countries for technical assistance, with increasing emphasis on assisting the poorest countries. In 1981 UNDP projects were underway in 150 countries and territories. In the current programming period (1982-86), 65% of all assistance will be provided to countries with a per capita GNP below \$500 annually (1975 dollars).

Projects of a few months to several years in duration, in fields such as agriculture, industry, education, health, economic policy and planning, transportation, and natural resource exploration, comprise the major part of the UNDP program. Preinvestment investigations and feasibility studies leading to soundly based capital projects comprise another major area of activity stimulating developing country initiatives and investor interest in the expansion of production and employment. In addition, the UNDP undertakes smaller projects designed either to train nationals by means of fellowships or to provide countries with required expertise through the use of expert advisers. Both types of projects normally are executed for UNDP by one of the other participating agencies of the UN system, such as FAO, UNESCO, WHO, or UNIDO. The UNDP also directly undertakes a limited number of regional, interregional, and global projects to help create vital research institutions and seek resolution of development problems commonly affecting a number of countries.

UNDP headquarters are in New York. Its administrator, Bradford Morse (U.S.), took office in January 1976 and was confirmed in his position for a second 4-year term by the General Assembly in 1979.

GOVERNING AND ADVISORY BODIES

The UNDP is a subsidiary organ of the UN General Assembly, which sets overall UNDP policy. It is administered under the

authority of the ECOSOC and the General Assembly. The UNDP's operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states—21 developed and 27 developing.⁶

States are elected by ECOSOC for 3-year terms and are eligible for reelection; the United States has been a member of the Governing Council since the UNDP's establishment. The Governing Council, which holds regular sessions once a year in June, reports annually to the General Assembly through ECOSOC.

As provided in various decisions of the General Assembly, the Governing Council also serves as governing body for the UN Fund for Population Activities, the UN Capital Development Fund, the UN Volunteers, the UN Trust Fund for Sudano-Sahelian Affairs, the UN Revolving Fund for Natural Resources Exploration, the UN Trust Fund for Colonial Countries and Peoples, the UN Special Fund for Landlocked Developing Countries, and Technical Cooperation Among Developing Countries. The Governing Council also provides general policy guidance for the small program of technical assistance financed from the regular UN budget.

SECRETARIAT AND FIELD ORGANIZATION

The UNDP's administrative apparatus consists of a Secretariat in New York, headed by the Administrator, and 166 offices in developing countries where programs are being carried out.

UNDP Resident Representatives advise their host governments on development planning and UN assistance. Within their countries of assignment they coordinate the operation of programs financed by the UNDP and (where a program exists) the UN Revolving Fund for Natural Resources Exploration. The Resident Representatives's coordinating function also encompasses relations between host government planning authorities and most UN development system agencies. During 1980, in accordance with resolution 32/197, the Secretary General designated eight Resident Representatives as Resident Coordinators having overall official responsibility for operational development activities carried out by the UN system at the country level. The great majority of Resident Representatives received this designation in 1981. These representatives act on behalf of, and furnish support for, activities of such other UN agencies as the World Food Program, the UN Environment Program, the Office of the UN Disaster Relief Coordinator, and the UN Department of Technical Cooperation for Development.

⁶ Members of the Governing Council in 1981 were Argentina, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Cuba, Denmark, Egypt, Fiji, France, Gabon, Gambia, Federal Republic of Germany, Greece, Guinea, India, Italy, Japan, Kuwait, Liberia, Malawi, Malaysia, Mexico, Netherlands, New Zealand, Niger, Norway, Pakistan, Poland, Romania, Rwanda, Sierra Leone, Somalia, Sri Lanka, Sweden, Switzerland, Trinidad and Tobago, Turkey, Uganda, U.S.S.R., United Kingdom, United States, Venezuela, and Yemen.

PROGRAM DEVELOPMENT: PATTERNS OF DEVELOPMENT ASSISTANCE

UNDP development assistance is provided to individual countries and intercountry activities on the basis of Indicative Planning Figures (IPF's) computed to cover 5-year periods (cycles). The first such cycle extended from 1972 through 1976; the second cycle, from 1977 through 1981, and the third cycle begins in 1982 and extends through 1986. IPF's in the first cycle were set largely on the basis of proportional equality to aid supplied by UNDP from 1967 through 1971; that is, countries were given a claim to UNDP resources projected for the years 1972 through 1976 equal to the percentage of such resources they actually received in the earlier 5-year period. IPF figures for the second cycle were calculated on a different basis, however, with each country's population and per capita gross national product being the principal factors in determining IPF size.

As a result of the application of these new criteria there was a significant shift in allocation of resources between the first and second cycles. In the second cycle increases over first cycle funding went to countries whose per capita GNP fell below the \$700 level. Countries with a per capita GNP of \$400 or less received nearly 70% of total UNDP assistance (compared with 58% in the first cycle); out of this total, 48% went to countries whose per capita GNP was below \$150 (as compared with the first cycle's 34%). Total IPFs for 1972-76 came to \$1,537 million. The total estimated for 1977-81, based on anticipated annual growth in contributions of 14% was \$2,461 million.

PROGRAM DEVELOPMENT: ACTIVITIES AND ANALYSIS

The 28th session of the UNDP Governing Council took place June 9-July 1, 1981, in New York in an atmosphere of concern over an expected shortfall in the contributions projected for the 1982-86 cycle. Despite this concern the Council held to the revenue projections made in 1980 and confirmed the Indicative Planning Figures established at that time. Rather than lowering these targets, the Council appealed for donors to increase their contributions to meet them.

In the course of its deliberations, the Governing Council approved 14 country programs⁷, the intercountry program for Asia and the Pacific, and six global projects. The council also approved special assistance to Uganda and Lebanon.

⁷ The countries for which programs were approved are Bangladesh, Bhutan, Bulgaria, the Congo, Cuba, Egypt, Kenya, Maldives, Mauritius, Nepal, Philippines, Poland, Rwanda, and Vietnam. The Vietnam program was approved subject to the unprecedented condition that its component projects will be submitted separately to the Council for its approval before implementation.

During its session the Governing Council noted the importance of pre-investment activities. It requested the UNDP Administrator to strengthen cooperation with other multilateral organizations with regard to such activities and asked him to report to the next Council session on UNDP's pre-investment activities.

In continuing its efforts to improve UNDP administration, the Governing Council endorsed the continuous programming concept which the United States has supported. It also looked at UNDP recruitment methods and its own procedures.

As is customary the Council reviewed UNDP's financial situation for 1980, the previous calendar year, and on June 30 adopted by consensus three decisions: (1) Decision 81/26, which, *inter alia*, approved establishment of new posts in supporting administrative services of various responsibilities of UNDP; (2) Decision 81/27, which contained the budgetary estimates for the biennium 1982-83; and (3) Decision 81/28, the revised financial regulations for the organization. The Council failed, however, to achieve consensus on sections of those regulations dealing with the problem of non-convertible currencies. Consideration of those provisions was deferred until the 1982 session.

The United States continued in 1981 to be a very active UNDP member. The U.S. contribution of \$125.8 million remained basically the same as that for the previous year, because it was determined by a Continuing Resolution rather than a new congressional appropriation. The U.S. share of total contributions, however, remains low, having amounted to 18.8% of total 1981 contributions. Nevertheless, regular inputs at the headquarters level and intensive participation in the January and June meetings of the Governing Council provided considerable opportunity to assess UNDP's continued progress and to enhance U.S. development goals of encouraging developing countries' self-reliance in agriculture, industry, education, transportation, economic planning, health, and energy. The U.S. delegation was also in the forefront of perennial efforts to continue improvements in the coordination of UN technical assistance at the local level; to encourage decentralization of UNDP project administration and ongoing reforms in headquarters and field administration; to ensure adherence to commitments promising improvement of technical standards for project design, monitoring, and evaluation; and to place greater emphasis on elements of project design that would encourage investment followup to UNDP projects.

U.S. participation in UNDP in 1981 was manifested in other ways. For example, the United States retained its leadership as the principal supplier of equipment, valued at \$39.5 million. In addition, the United States, with 1,007, was second only to the United Kingdom as the largest source of UNDP experts, and it hosted the largest number of participants studying on UNDP scholarships (1,775).

The UNDP Administrator, in reviewing the somewhat disheartening results of the November pledging conference for 1982 contributions, once again informed the Council of the effect of reduced resources on UNDP operations. He announced that while a number of major contributors had been unable to announce pledges at the time because of budget process regulations (the United States was included in this group), reliable estimates indicated that donations may not exceed those of the previous year. This shortfall in the estimated 1982 percentage increase, especially following the disappointing \$668.8 million total and approximately 4% growth rate in 1981, seriously places in doubt UNDP's ability to achieve the 14% annual increase target in the coming years, for which it has strived, and its ability to fund the program at the projected \$6 billion during the third cycle.

Despite the failure of UNDP's resources to grow at the projected rate, its record of achievement for 1981 is commendable. Main program field expenditures rose to \$731.6 million, an increase of 8% over the 1980 level. The number of new projects approved in 1981, however, declined to 1,114 from the 1980 level of 1,321. Developing countries and donors provided an additional \$62.7 million, which was disbursed by UNDP for development projects. According to the Administrator's annual report for 1981, UNDP efforts also supported some \$1,008 million in additional project expenditures under other UN or bilateral development programs during the year. UNDP employed 1,708 experts under contract, signed subcontracts valued at \$74.2 million, purchased \$141.2 million worth of equipment for its projects, and awarded 11,443 fellowships to train citizens of developing countries in needed skills.

UNDP is redesigning and modernizing its management system and techniques and undergoing major internal operational changes. In many instances it is using American concepts to improve budgetary, program evaluation, and data collection procedures. The new budget system incorporates the U.S. zero-based budgeting concept; the evaluation system is being patterned after that of the U.S. Agency for International Development; and a centralized computer data management and retrieval system is becoming operational.

GENERAL ASSEMBLY

On December 17, 1981, the General Assembly adopted without a vote resolution 36/200, which had been recommended by the Second Committee. In doing so the Assembly endorsed the decisions of the 28th session of the UNDP Governing Council, and singled out for special mention decision 81/37 on streamlining and rationalizing the Governing Council's work. The General Assembly also expressed deep concern over the likely shortfall in voluntary contributions to

UNDP for 1982. It urged all governments to renew their efforts to achieve the target of 14% average annual growth in contributions. The Assembly also reaffirmed the Governing Council's request that the UNDP Administrator continue consultations with donor countries to attempt to reach the level of resources envisaged for the third programming cycle, 1982-86.

CAPITAL DEVELOPMENT FUND

Although the name given to this organization when it was established in 1966 by the General Assembly may suggest an institution on the order of the international development banks, the UN Capital Development Fund (UNCDF) might more appropriately be called the "Light Capital Technology Fund." The UNCDF provides assistance to some 39 countries, of which all but 2 are among the least developed. In these countries generally the poorest of the poor benefit from its activities.

The UNCDF is devoted to assisting developing countries in creating and upgrading agricultural and industrial infrastructure which will enable them to improve local production and expand indigenous skills. This, in turn, reduces reliance on outside assistance and promotes private initiative. Aid consists of financial support for rudimentary-to-intermediate stage technology which poor people themselves are able to manage, control, and use in penetrating markets accessible to them. These projects have to be relatively small to provide beneficiaries with a sense of identification, group motivation, and early results. They must also provide for maximum participation of the beneficiary groups with the greatest use of local resources. Project activities have included irrigation and food storage; the construction of rural schools and health centers; establishment of cottage industries, cooperatives, and credit unions; and furnishing of vocational training facilities. By creating employment, improving local skills, and generating income, the Fund increases demand for more sophisticated imported goods.

The UNDP Administrator serves as the Fund's managing director. The Fund has a small headquarters staff in New York, but for information from the field and monitoring of projects, it relies on UNDP resources. These include UNDP Resident Representatives, UN specialized agency employees, and experts hired on contract, reporting to UNDP headquarters through the Resident Representatives. The Fund is taking steps to obtain the services of Junior Professional Officers to assist Resident Representatives in monitoring UNCDF-financed activities. In this way the Fund is able to take advantage of UNDP's infrastructure and keep its own overhead costs (now 6%) to a minimum.

In 1981 Capital Development Fund pledges totaled about \$31 million, including a U.S. contribution of \$2 million. Major donors in

1981 were the Netherlands, \$8.9 million; Sweden, \$7.0 million; Norway, \$3.4 million; Denmark, \$2.5 million; Switzerland, \$2.0 million; and Japan, \$1.0 million. Cumulative contributions from governments since the Fund's inception and including pledges for 1981 stood at about \$152.5 million, including \$8 million from the United States. At the beginning of 1981, the Fund had allocated about \$165 million to projects in 35 developing countries. By the end of the year, cumulative commitments had risen to \$220.1 million in 42 countries, while cumulative expenditures totaled \$102.0 million.

The Governing Council of the UN Development Program, of which the United States is a member, provides policy guidance for the Fund. At the Council's annual review of Fund activities in June 1981, the United States joined in consensus approval of the Fund's operations, stipulating that UNDP should be reimbursed for the Fund's administrative expenses from its accrued earnings derived from interest on investments and foreign exchange transfers, and requesting the UN Administrator to present a report on the implementation of partial funding at the 29th session of the Governing Council. This decision also reaffirmed that UNDP will continue to provide to the Fund all field support services as well as all headquarters administrative support services.

On December 17 the General Assembly adopted, without a vote, a resolution recommended by the Second Committee which, *inter alia* requested the Governing Council of UNDP to maximize the impact and effectiveness of the Fund by improving complementarity between the assistance programs of the Fund and UNDP. (Resolution 36/196.) The United States has supported the Fund's effort to continue partial funding of projects on a limited, experimental basis with a review in 1982. The fund previously operated on full funding which required commitments not to exceed contributions on hand. This necessarily resulted in a slow disbursement rate and the accumulation of resources because Fund projects often extend over several years. Under partial funding the Fund may commit a larger volume of resources than contributions on hand for new projects. The anticipated result should be rapid expansion of project commitments and a higher volume of cash disbursements. An operational reserve of at least 20% of commitments also will be maintained.

UN Industrial Development Organization

UNIDO is an autonomous organization within the United Nations established by the General Assembly to promote and accelerate the industrialization of developing countries through provision of technical assistance and related services. Membership in UNIDO, which is headquartered in Vienna, is open to all members of the United Nations, its specialized agencies, and the IAEA. The United States has been a member since UNIDO's inception in 1966.

UNIDO's General Conferences, to which all UNIDO member states are invited, meet every few years to recommend long-range policy for the organization. The last General Conference was in 1980 in New Delhi and the next is to be held in 1984. The Industrial Development Board (IDB) sets UNIDO's policy on a yearly basis and approves UNIDO's actual work program. The IDB is comprised of 45 states elected by the General Assembly on a rotating basis for 3-year terms.⁸ The United States began its current term on January 1, 1981. The IDB met May 15-29, in Vienna. The Board's Permanent Committee met twice, May 7-14 and November 16-21, also in Vienna. The Secretariat and field staff provide technical assistance, research, information, and administrative support to promote industrial development.

The work of the 1981 meetings was generally that of consolidating UNIDO's past accomplishments, rather than breaking new ground for the organization. Group B (developed market economy) members expressed strong sentiment for tight control over UNIDO's budget. The United States, supported by other Group B members, was successful in committing UNIDO to more rapid development of its internal evaluation mechanisms. The system of Consultations and the Industrial and Technical Information Bank also were directed to assess their program activities.

In contrast to the confrontational tone and radical proposals of the Third General Conference of UNIDO in early 1980, the 1981 meetings were characterized by a return to the spirit of consensus and to a concentration upon the practical, technical questions of industrial development.

In its May session the Permanent Committee avoided asking for increased resources for UNIDO by using the following language: "The Committee noted that the expansion of programs or the addition of new programs could be carried out by savings in other activities, by improvements in staff productivity, and by reallocations of resources between sections of the United Nations budget as a whole." The United States emphasized its support for zero real growth in the UNIDO budget.

Rules of Procedure for the System of Consultations constituted a major item in November on the agenda of the 16th session of the Permanent Committee. The two issues of some contention were resolved in favor of the position supported by the United States and other Group B members. Under the new rules the Consultations will retain the key role played by the private sector—business, labor,

⁸ Members of the IDB during 1981 were Argentina, Australia, Austria, Belgium, Brazil, Burundi, Central African Republic, China, Czechoslovakia, Denmark, Ecuador, France, Gabon, German Democratic Republic, Federal Republic of Germany, Guatemala, Guinea, India, Indonesia, Iraq, Italy, Japan, Kenya, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Panama, Poland, Romania, Sri Lanka, Sweden, Switzerland, Togo, Trinidad and Tobago, Turkey, U.S.S.R., United Kingdom, United States, and Zambia.

consumer, and others—as well as governmental participants. Decisions in Consultation meetings will continue to be made by consensus.

The issue of the establishment of a new international bank to finance industrialization in developing countries, opposed by the United States, was deferred to the IDB's May 1982 session.

The IDB's report on its May session was considered by ECOSOC in the summer and the General Assembly in the fall. The United States joined in adopting two resolutions endorsing the report's conclusions. The ECOSOC resolution was adopted by a vote of 43 to 0, with 5 abstentions (the U.S.S.R. and Eastern European states) on July 24. (Resolution 1981/75.) The General Assembly resolution was adopted on December 17 without a vote. (Resolution 36/182.)

The United States recorded reservations: it supported reprogramming within UNIDO's budget to fund any new or strengthened programs but no growth in real terms and rejected the proposal for an International Bank for Industrial Development—to which the United States would not contribute if it were established.

UNIDO funding comes largely from UN regular assessed contributions and from voluntary contributions to the UNDP. The General Assembly approved a \$72,942,200 program budget for 1982–83. This amount is supplemented by voluntary contributions to trust funds. In 1981 expenditures on administration, research, and support services funded from the regular UN budget and overhead reimbursements totaled \$45.2 million. Voluntary contributions provided most of the financing for UNIDO's technical assistance projects, which amounted to \$88.5 million, with approximately 76% coming from the UNDP, 17% from the UN Industrial Development Fund and from other UNIDO trust funds, and 4% from the UN assessed budget's regular program of technical assistance.

UNIDO CONSTITUTION

In Vienna on April 8, 1979, after 3 years of negotiation, the UN Conference on the Establishment of UNIDO as a Specialized Agency adopted a Constitution by consensus. The Conference also adopted a Final Act providing for the transition stage. After 80 states have ratified the Constitution, all ratifying states will consult and determine the date on which the new Constitution should take effect.

By the end of 1981, 121 states had signed and 66 had ratified the Constitution. The United States signed the Constitution in January 1980, and the President transmitted it to the Senate on October 5, 1981, with his recommendation that the Senate advise and consent to its ratification.

TRUST FUNDS

The UN Industrial Development Fund (UNIDF) receives voluntary pledges from countries for specific technical assistance projects, as

well as unspecified pledges. In the 1980-81 biennium these pledges totaled \$22 million. UNIDO also maintains a General Trust Fund. Major donors to the funds have been the Federal Republic of Germany, India, Italy, Saudi Arabia, Sweden, the United Kingdom, and the U.S.S.R. The United States did not contribute to the funds but rather continued its practice of supporting UNIDO financially through its annual voluntary contribution to the UNDP and through its assessed contribution to the UN regular budget.

SYSTEM OF CONSULTATIONS

UNIDO's System of Consultations is a continuing series of international meetings to consider problems encountered by the less developed countries in the industrialization process and ways in which international cooperation can be brought to bear on specific industrial sectors. Each of the 15 Consultations held thus far has attracted about 200 industrial experts from government, business, labor, consumer, and other interested groups from as many as 55 to 65 countries.

The Second Consultation on the Petrochemical Industry and the First Consultations on Capital Goods and on Food Processing were held in 1981. U.S. participation in all the Consultations has relied heavily on cooperation of private sector experts with Department of State and other U.S. Government participants. Planned Consultations in 1982 include the first Regional Consultation on the Agricultural Machinery Industry in Africa, the Third Consultation on the Iron and Steel Industry, and the First Consultation on Industrial Financing and on Training of Industrial Manpower.

INVESTMENT COOPERATIVE PROGRAM OFFICE

The Investment Cooperative Program Office is responsible for promoting private and public investment in industrial projects in developing countries. The program is facilitated through a cooperative arrangement with the World Bank and through seven Investment Promotion Services located in New York, Brussels, Cologne, Vienna, Zurich, Tokyo, and Paris. The last two opened during 1981. The European and Japanese offices are financed completely by the host governments; the New York office is funded partially through a grant from the Overseas Private Investment Corporation, but is supported primarily by the private sector.

The New York office of the Investment Promotion Service, established in 1977, conducts an intensive training program for investment promotion officers from developing countries. Working with the professional staff of the office, they learn to use the tools of promotion, analyze budgets, and understand U.S. requirements,

attitudes, and practices in international business. Finally, resident officers put their training to use by participating in negotiations with U.S. investors for projects in their home countries. By the end of 1981 the New York office had stimulated over \$80 million in private sector investment in developing countries.

General Agreement on Tariffs and Trade

The General Agreement on Tariffs and Trade (GATT) is not a part of the UN system, although it was created at a UN-sponsored conference. GATT also cooperates with UN organizations where appropriate. For example, the GATT Contracting Parties and UNCTAD jointly operate an International Trade Center to assist developing countries in promoting their exports.

The General Agreement is an international agreement which entered into force in January 1948. The United States has been a party to the GATT since its inception. In 1981 GATT membership stood at 85 states, and those states accounted for more than four-fifths of world trade. An additional 32 countries have either acceded provisionally or maintain a *de facto* application of the GATT.

GATT is the principal multilateral instrument through which the United States is working to improve the world trading system. It is both a code of rules and a forum in which negotiations and other trade discussions take place.

The GATT has provided the framework for seven multilateral rounds of tariff negotiations. The most recent of the multilateral rounds of trade negotiations was the Tokyo Round, launched in September 1973 and completed in 1979. In addition to tariff reductions, now being phased in by the participating countries, the Tokyo Round produced for the first time agreement on rules of conduct in nontariff areas. Codes on subsidies and countervailing duties, technical barriers to trade, (standards) import licensing procedures, antidumping, and trade in bovine meat, in dairy products, and in civil aircraft all went into effect in January 1980. The codes covering government procurement and customs evaluation went into effect at the beginning of 1981. GATT's work program adopted in November 1979 gives first priority to implementing the Tokyo Round results, and committees have been established to administer each of the Code agreements.

The major rounds of trade negotiations have liberalized international trade in several large steps. However, the role of the GATT in the daily functioning of the international trade system also has been important. The regular sessions of the Contracting Parties, generally held annually, are the highest form of the GATT, and, as such, decide upon the direction of the GATT's work. In addition, the GATT Council, which meets several times a year between sessions, the

standing committees, and the special working parties and panels, afford the Contracting Parties other forums for debate on trade issues and mechanisms for the resolution of disputes.

GATT plays a major role in the settlement of trade disagreements between member countries. As in past years, several such matters involving U.S. trade were considered under GATT provisions in 1981.

The Contracting Parties of GATT agreed at their November 1981 meeting that their November 1982 meeting would be held at the Ministerial level. Ministerial level meetings have been held infrequently and in the past have resulted in the launching of multilateral trade negotiations. While there is little likelihood of major tariff negotiations resulting from the 1982 Ministerial, the Ministerial provides an opportunity to define the directions in which GATT should move in the 1980's. The Ministers will address themselves to implementation of the results of the Multilateral Trade Negotiations, problems affecting the trading system, the position of developing countries in world trade, and future prospects for the development of trade. They will determine future priorities for cooperation among Contracting Parties. Accordingly, the GATT Ministerial will be watched with great interest, and preparations for it will require much attention during 1982.

UN Conference on Trade and Development

The UN Conference on Trade and Development (UNCTAD) is the organ of the UN General Assembly concerned with the trade and economic development issues of the developing countries. The Conference is the UNCTAD governing body and is convened every 3 to 4 years. The sixth session of the Conference, UNCTAD VI, is scheduled to take place in the spring of 1983. The first Conference was held in Geneva, Switzerland, UNCTAD headquarters; the second, in Santiago, Chile; the third, in New Delhi, India; the fourth, in Nairobi, Kenya; and the fifth in Manila, Philippines.

General Assembly resolution 1995 (XIX) established UNCTAD on December 30, 1964. Conference members are those states which are members of the United Nations, its specialized agencies, or the International Atomic Energy Agency. Currently 166 countries are members of the Conference and 124 of the Trade and Development Board (TDB). The Trade and Development Board, UNCTAD's senior body, meets biannually and reports to the Conference and annually to the General Assembly through the Economic and Social Council.

The Trade and Development Board held its 22nd session in March 9-20, 1981, and its 23rd session, September 28-October 12, 1981. Both sessions were held in Geneva. An unusually important resumed session, November 4-6, 1981, of the 23rd TDB adopted resolution 245 (XXIII) recommending to the General Assembly that

the UNCTAD VI Conference be held in Libreville, Gabon. Subsequently, Gabon withdrew its offer. Other resolutions adopted by the 22nd and 23rd TDB of particular importance to the international economic system were as follows: resolution 226 (XXII) established a sessional committee on protectionism and structural adjustment; resolution 228 (XXII) established an Intergovernmental Group of Experts on Restrictive Business Practices; resolution 231 (XXII) outlined procedures for greater internal operating efficiency within UNCTAD; and resolution 241 (XXIII) mandated meetings of governmental experts on food processing, capital goods and industrial machinery, and energy. A discussion of the international economic system, "The Trade and Development Report—1981" had been prepared for the consideration of the 23rd TDB by the UNCTAD Secretariat. Resolutions adopted without consensus at the 23rd TDB were: resolutions 238 (XXIII) and 239 (XXIII), which mandated assistance through appropriate national liberation movements to Namibia, South Africa, and Palestine and resolution 240 (XXIII), which mandated a report on legislation and regulation of technology transfers.

THE UNCTAD VI CONFERENCE

It was decided at the UNCTAD's 23rd Trade and Development Board (TDB) that, subject to the availability of facilities, Africa would host the UNCTAD VI Conference and Latin America the UNCTAD VII Conference. (Decision 237 (XXIII).) At the November resumed session of the 23rd TDB, Gabon offered to host UNCTAD VI; the TDB membership agreed and by consensus resolution 245 (XXIII) recommended to the United Nations that the UNCTAD VI Conference be convened in Libreville, Gabon. The General Assembly accepted Gabon's offer in resolution 36/142 of December 16, 1981. However, Gabon withdrew its offer because the government considered that the cost of hosting the Conference would be too great a burden.

In 1979 at the UNCTAD V Conference in Manila, Cuba issued an invitation to host UNCTAD VI; and, since that time, every UNCTAD meeting had been seized with the question of the appropriate venue for UNCTAD VI. The decision of the 23rd TDB reflected the general reluctance of member states to attend a major international economic conference in Havana. The United States decided not to attend the UNCTAD VI Conference if it were held in Havana, fearing the Cubans would politicize the Conference and would not concentrate on the resolution of economic questions.

Integrated Program for Commodities

International commodity policy remained a key issue in U.S. foreign economic relations in 1981, particularly with respect to relations with developing countries. Under the framework of the UNCTAD Integrated Program for Commodities (IPC), ongoing discussions have been carried out across a broad range of 18 individual commodities including natural rubber, copper, cocoa, sugar, tropical timber, jute, tea, and cotton. The Integrated Program also produced agreement in 1980 on a Common Fund to facilitate buffer stock financing for suitably structured commodity agreements. The United States signed the Common Fund Agreement in November 1980 and participates in current international commodity agreements covering sugar, coffee, natural rubber, and tin. However, the United States has decided not to adhere to the new International Cocoa Agreement and the 6th International Tin Agreement, which will come into force in July 1982, because these agreements do not adequately balance producer and consumer interests.

The *Ad Hoc* Intergovernmental Committee of the Integrated Program for Commodities (AHIC), established by UNCTAD IV in Nairobi in 1976 to oversee the progress of the Integrated Program, held its last meeting in 1980. It was replaced by the Committee on Commodities (COC), a standing UNCTAD committee which had suspended operations during the existence of the AHIC.

The Committee on Commodities, rejuvenated by the 1979 UNCTAD V Conference in Manila, was given a mandate to review work done thus far to implement the UNCTAD V resolution 124 (V), which charged the UNCTAD Secretariat with undertaking special studies on prospects for (1) expanding the processing of primary commodities and export of processed goods; (2) increasing the participation of developing countries in marketing and distribution of their commodity exports; and (3) determining needs and costs in developing countries of research and development, market promotion, and horizontal diversification of commodities covered by the Integrated Program for Commodities.

The 9th session of the COC concluded on October 7, 1980, with the adoption of a resolution on a work program which reflected the mandate it had received at UNCTAD V. The subject of the creation of a complementary facility for commodity-related shortfalls in export earnings also was discussed. The United States and most of the developed countries which had voted against UNCTAD resolution 125 (V) proposing creation of a complementary facility, continued to maintain that export earnings must be considered in the overall context of balance-of-payments problems which are more

properly the responsibility of the International Monetary Fund (IMF).

The Common Fund for Commodities

Agreement to establish the Common Fund for Commodities was reached at the 4th session of the UN Negotiating Conference meeting June 5-27, 1980, in Geneva. The United States participated with more than 100 governments in the final negotiations and signed the agreement in early November 1980 in New York.

The Fund Agreement concluded 4 years of difficult negotiations on a key element in relations between developed and developing countries. Its "First Account" was pool resources of International Commodity Agreements (ICA's) to facilitate the financing of buffer stocks to stabilize prices. A "Second Account," funded by voluntary contributions, would finance commodity research and market development measures. First Account operations are to be backed by direct contributions from governments amounting to an anticipated \$400 million, to be used only to enhance the Fund's creditworthiness, provide working capital for short-term bridging purposes, and to meet administrative expenses. The U.S. share of the direct contributions will be \$73.85 million. For the foreseeable future the United States does not plan a voluntary contribution to the Second Account.

Coffee

The United States has participated in the International Coffee Organization (ICO) since its founding in 1962. When the 1976 International Coffee Agreement was negotiated, economic provisions were suspended because of record high prices, following a devastating frost in Brazil in 1975. As production gradually expanded and prices began to fall, ICO members agreed to an export quota regime in October 1980.

The United States was successful in obtaining agreement from coffee producing countries to eliminate manipulative market activities, a pre-condition for renewed cooperation among consuming and producing ICO members. The Agreement has been extended 1 year and now will expire September 30, 1983.

The principal economic mechanism of the Agreement is a system of export quotas, which are suspended automatically whenever prices rise sharply, thereby allowing coffee to be traded freely. The Agreement also benefits consumers by assuring growers of a stable market so that they may undertake the investments needed to restore and increase coffee production.

Major world coffee exporters are Brazil, Colombia, El Salvador, Guatemala, Ivory Coast, Uganda, and Indonesia.

Sugar

The International Sugar Organization (ISO), with headquarters in London, is the principal forum for dealing with the international sugar trade. It has administered the International Sugar Agreement (ISA) since 1937. Negotiations were completed in 1977 for a new ISA. However, delays in ratification caused the United States to participate only as a provisional member until April 2, 1980, when by unanimous consent, the Senate passed the implementing legislation.

As a result of International Sugar Organization Council decision in March and November of 1980, the Agreement's price range has increased by 2¢ over its original 1977 level. The current world price of sugar is stabilized between a 13¢ minimum and a 23¢ maximum to be defended by a coordinated worldwide system of national stocks and export quotas. The ISA protects the interests of consumers by establishing a reserve stocks system under which 2.5 million tons of sugar will be set aside and held in exporting countries for release when prices pass the ceiling levels. The Agreement's price range is expected to encourage sufficient investment to avoid sharp reduction in supplies and concomitant price increases. At the November 1981 Council meeting, ISO members decided in principle to extend the ISA for 2 years, i.e., through 1984, and to discuss possible accession to the Agreement by the European Community.

The Agreement is consistent with broad U.S. foreign policy objectives and with the intent to balance the interests of producing and consuming countries through international cooperation. U.S. membership also will complement its own domestic price support programs for sugar. The Agreement's price stabilization provisions will assist a number of developing countries whose economic growth

The world's largest sugar producers, in addition to the United States, are the U.S.S.R., Cuba, the European Community, Dominican Republic, Brazil, Philippines, Australia, Thailand, and India.

Cocoa

The principal international producer/consumer forum for cocoa is the International Cocoa Organization (ICCO), headquartered in London, which implements the International Cocoa Agreement of 1980. The ICCO endeavors to stabilize the world market price of cocoa through the operation of a buffer stock financed by collection of levies at the point of export.

The United States participated in negotiations in Geneva which led to the conclusion of a new Cocoa Agreement in November 1980. Although a major importer accounting for over 20% of the world market, the United States did not join the Agreement. The United States considers the Agreement neither economically nor financially

viable, and inadequate for dealing with a potentially serious surplus situation in the world cocoa economy.

During the negotiations the United States contended that acceptance of a lower intervention price (LIP) of \$1.10 per pound would have to be linked to a flexible, semi-automatic price adjustment mechanism that would provide for relatively quick downward adjustment. The other consuming countries, principally the European Economic Community and the producing countries excluding the Ivory Coast, Togo, and Gabon, however, did reach agreement on an LIP of \$1.10 per pound with provision for downward adjustments to \$1.02 per pound. The higher intervention price was set at \$1.50 per pound with provisions for comparable upward price adjustments. To deal with a potential deficiency in financing should the price move downward, the Agreement provides for a special vote on possible arrangements for additional financing. The Agreement entered into force on August 1, 1981. The Ivory Coast, which accounts for about 20% of world cocoa production, decided not to join. The absence of the United States and Ivory Coast does not prevent the Agreement from functioning as designed.

Copper

UNCTAD's sponsored discussions regarding a copper agreement have been suspended since 1980, when major producers and consumers failed to agree on a new meeting date. At that time the UNCTAD Secretary General was requested to undertake consultations with producing and consuming countries to decide what further steps would be appropriate to the holding of future meetings. The United States advised the UNCTAD Secretariat that it remains unenthusiastic about scheduling another meeting pending some indication of movement in other countries' positions, but will be open to further constructive discussions on copper given a reasonable and promising basis for further work.

During 1979-80 producers and consumers held several preparatory and technical meetings. The United States is the world's largest producer and consumer of copper and as such, has taken an active role in the copper dialogue. The UNCTAD discussions have revolved around three broad themes: (1) a possible international commodity agreement; (2) an intergovernmental producer-consumer forum; and (3) possible "interim" measures to improve market conditions which might be implemented more quickly than a commodity agreement.

The world's major copper producers, other than the United States, are Canada, Chile, Zambia, Peru, U.S.S.R., the Philippines, and Australia.

Tin

Since 1956 international tin trade has been conditioned by five successive International Tin Agreements (ITA's). The United States

has been a member only of the present 5th Agreement, which expires on June 30, 1982.

The principal objective of the ITA has been to moderate excessive price fluctuations of tin through use of a buffer stock and export controls. The buffer stock generally buys tin when prices are in the lower sector of the International Tin Council (ITC) price range and sells when they are in the upper sector. Additionally, when the buffer stock has been inadequate to support the floor price, the Council is empowered to institute export controls to reduce the internationally available supply of tin.

A 6th International Tin Agreement was concluded in June 1981 after 14 months of negotiation. The United States was a participant in the negotiations and worked actively to reach an agreement that would balance producer and consumer interests. In October 1981, following an intensive review of the substance of the new agreement, the United States announced its decision not to join this ITA. The major reason for the U.S. decision was the failure of the Agreement to provide an adequate central role for the buffer stock and to ensure its financing.

The United States has informed the ITC that it will continue to play an active and constructive role for the duration of the 5th ITA. Tin-producing countries likewise have been assured that the United States intends to continue close cooperation on matters of common concern, including the disposal of tin from the U.S. National Defense Stockpile.

The world's major tin exporters are Malaysia, Thailand, Indonesia, Australia, and Bolivia.

Natural Rubber

UNCTAD-sponsored negotiations for an International Natural Rubber Agreement were concluded successfully in October 1979. The Agreement entered into force provisionally on October 23, 1980, and the International Natural Rubber Council held its inaugural session November 17–21, 1980, in Geneva. Headquarters of the Agreement is located in Kuala Lumpur, Malaysia, and a Secretariat was established in early 1981. On May 28, 1981, the United States, a provisional member since October 1980, became a definitive member of the Agreement.

The primary objectives of the International Natural Rubber Agreement are: (1) to stabilize natural rubber prices without disturbing long-term market trends, and (2) to expand natural rubber supplies for importing members at reasonable prices. The principal instrument for achieving these objectives is an international buffer stock fully financed by importing and exporting members. This stock will be 550,000 metric tons of natural rubber—consisting of a normal

stock of 400,000 metric tons and a contingency stock of 150,000 metric tons. The buffer stock manager will buy or sell from the buffer stock to counteract movements in the world market price of natural rubber below or above certain prescribed reference levels. To help ensure adequate supplies the Agreement contains no provision for export or production controls. Moreover, it has special clauses aimed at increasing supplies in the event of a potential shortage and provides for other longer term measures to expand and improve natural rubber production and marketing.

As a definitive member the United States has undertaken a financial obligation to the buffer stock account and Congress appropriated \$88 million to cover potential contributions. Natural rubber prices fell precipitously in 1981 and two callups of funds for the buffer stock account occurred. In the fall of 1981 the buffer stock manager intervened in the market for the first time and began purchases of natural rubber for the buffer stock.

Major exporters of natural rubber are Malaysia (accounting for almost half of the world production), Indonesia, Thailand, Sri Lanka, and Liberia.

Tropical Timber

At five preparatory meetings on tropical timber held under UNCTAD auspices since 1977, a consensus evolved among consumers and producers that measures such as buffer stocks or supply management mechanisms are inappropriate and technically not feasible for directly stabilizing tropical timber markets and prices. Participants agreed that an international arrangement for tropical timber could incorporate the following four elements: reforestation and forest management, research and development, improvement of market intelligence, and further processing in producing countries.

Participants at the 5th Preparatory Meeting—held in 1980—agreed to convene separate meetings of experts on market intelligence, research, and development in early 1981. Timetables slipped and the Intergovernmental Group of Experts on Tropical Timber did not meet until November 1981. Participants agreed on a modest proposal for improving market intelligence. Publicly available information would be monitored and arranged by some future secretariat into a format suitable for submission to producer-consumer meetings for an exchange of views. The Group of Experts, which also reviewed 41 research and development project profiles, agreed that projects should be consistent with previously determined criteria, and established broad priority areas for allocation of available financial resources. The proposals of the Intergovernmental Group of Experts will be submitted to the 6th Preparatory Meeting on Tropical Timber, scheduled for March 1982. This meeting generally is re-

garded as the last preparatory meeting before negotiations for an international arrangement on tropical timber.

Shipping

At its 3rd special session in June 1981, the Committee on Shipping adopted by majority vote resolution 43 (S-III) calling for the establishment of an Intergovernmental Preparatory Group (IPG) on Conditions of Registration of Ships. The IPG is designed to formulate basic principles governing ship registration in preparation for a future UN conference of plenipotentiaries to draft an international convention on this subject. Resolution 43 (S-III) foresees minimum required levels of manning and ownership of vessels by flag state nationals. This requirement would effectively eliminate open registries, which accept vessels with foreign crews and owners. The United States considers that conditions of ship registration should remain within a nation's sovereign competence; hence, the United States and other Group B⁹ members voted against establishment of an IPG on ship registration.

An Independent Group of Experts was established in 1980 at the request of the Committee on Shipping to determine whether the operations of major importers and exporters of bulk cargoes unfairly hinder the participation of shipping companies from developing countries. The Expert Group drew up a questionnaire and distributed it to major importers and exporters of four dry bulk commodities. In December the Expert Group evaluated the responses and adopted recommendations. These recommendations call for: (1) shippers to give greater consideration to carriers from developing countries, (2) shipping companies of developing countries to pool their tonnage, and (3) governments of developing countries to enact legislation and establish financial institutions to encourage shipping activities.

The Working Group on International Shipping Legislation discussed marine hull insurance at its 8th session in October. The Group drafted two parallel sets of clauses to serve as non-mandatory models and recommended further examination of insurance questions at the 9th session.

Protectionism and Structural Adjustment

The 22nd Trade and Development Board approved by consensus resolution 226 (XXII), "Protectionism and Structural Adjustment," by which a sessional committee to review production and trade patterns and developments in trade restrictions would be convened

⁹ Each member of UNCTAD is assigned to group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.

at the 24th TDB in 1982. The UNCTAD Secretariat was asked to prepare a study for the review of production and trade and an inventory of non-tariff barriers affecting the trade of developing countries.

Resolution 226 (XXII) was in furtherance of the UNCTAD resolution 131 (V), which called for a review of production and trade to facilitate "optimum overall economic growth, including the development and diversification of the economies of the developing countries" Although developed and developing countries agree on the objective, they differ on the extent and impact of protectionist measures and on the proper role of government in the process of structural adjustment. These differences were not of major importance in 1981 but could emerge at the 24th TDB.

Generalized System of Preferences (GSP)

In May the United States participated in UNCTAD's 10th session of the Special Committee on Preferences in Geneva. Items of interest included the results of the Multilateral Trade Negotiations, both tariff reductions and non-tariff barrier codes, and their relationships to GSP. Consultations on the harmonization of rules of origin criteria also were held. Finally a fair amount of attention was focused in 1981 on the "Product Graduation" policy which the United States had implemented during the 1980 product review cycle, effective March 31, 1981. This policy was designed to reduce the concentration of GSP benefits to the five top users, i.e., Taiwan, Mexico, Hong Kong, Korea, and Brazil. "Product Graduation" thus would have the effect of transferring benefits from these countries considered internationally competitive in certain products to the less advanced developing countries. Because of concern over differential or discriminatory treatment of some of its member countries, the UNCTAD Secretariat has opposed the "Product Graduation" policy.

The United States continues to support the UNCTAD/UNDP Technical Assistance Project for GSP seminars and provides experts to explain fully to beneficiary country audiences how to expand their GSP duty-free exports to the United States. In 1981 the GSP program extended duty-free tariff preferences for \$7.3 billion worth of exports on about 2,850 separate products coming into the U.S. market from 140 beneficiary developing countries or dependent territories.

COMMITTEE ON TECHNOLOGY

The most recent negotiating conference on the proposed UNCTAD Code of Conduct on the Transfer of Technology (TOT) took place March 23-April 10, 1981. Little progress was achieved at that

Conference toward resolving the serious outstanding issues in the Code. At its conclusion the Conference decided to transmit the draft Code to the General Assembly for appropriate further action, including the possible reconvening of the UN Conference on the TOT Code.

On December 16, 1981, the General Assembly adopted resolution 36/140 that, *inter alia*, established an interim committee of the Conference which will meet for 4 weeks during 1982 to seek solutions to the outstanding issues. The first interim committee meeting scheduled for March 1-5 will discuss restrictive business practices and the second on April 26-30, will deal with the chapter on applicable law. It is important to note that the interim committee is not a negotiating body.

The resolution also invited the UNCTAD Secretary General to follow closely the progress of work in the interim committee with a view to convening the Conference as soon as practicable and preferably not later than the last quarter of 1982 or the first quarter of 1983.

RESTRICTIVE BUSINESS PRACTICES

Following more than 10 years of deliberations in the United Nations, the UN Conference on Restrictive Business Practices successfully concluded in 1980 negotiations of a set of voluntary guidelines to deal with restrictive business practices in international trade. The Conference adopted these guidelines on April 22, 1980, and transmitted them to the General Assembly for final action.

The officially termed "Set of Mutually Agreed Equitable Principles and Rules on the Control of Restrictive Business Practices" is designed to reduce restraints of trade by private and state-owned enterprises. It thus complements efforts under the General Agreement on Tariff and Trade (GATT) to minimize government trade and tariff restrictions. The United States believes that the Principles and Rules, embodying pro-competitive, free market concepts, can promote fair competition in international trade. These recommendations should enhance the ability of all countries to deal with restrictive business practices. In addition, the Principles and Rules call on states to provide fair and equitable treatment for all enterprises on the same basis. This provision should be of value to U.S. businesses in their relations with foreign governments.

The Set of Principles and Rules also contains several followup activities. First, it establishes an intergovernmental group of experts to continue work on antitrust subjects within the United Nations. This group will emphasize assistance to countries seeking to develop or improve their own restrictive business practice laws. Second, UNCTAD and other relevant UN bodies will continue their publica-

tions and technical assistance programs. Third, work will be continued "within UNCTAD on the elaboration of a model law or laws on restrictive business practices." Finally, a multilateral conference under UNCTAD auspices will be held in 1985 after adoption "for the purpose of reviewing" the Set of Principles and Rules.

The General Assembly completed action on "The Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices" on December 5, 1980, with the adoption of the text by consensus. (Resolution 35/63.) The 22nd TDB of UNCTAD approved resolution 228 (XXII) setting up an Intergovernmental Group of Experts on Restrictive Business Practices to facilitate promotion of fair competition in international trade.

MONEY AND FINANCE AND DEBT

The UNCTAD Secretariat's efforts to establish for UNCTAD a significant role in international monetary issues are embodied in consensus resolutions 132 (XV) 1975, 165 (S-IX) 1978, and 222 (XXI) 1980, and in the non-consensus 1979 UNCTAD (V) resolution 128 (V), and consensus resolutions 129 (V) and 130 (V). Strong opposition by the developed countries to a monetary experts group and successful negotiations on debt issues prevented developing countries from securing a clear monetary mandate for UNCTAD.

Debt

The issue of developing country debt has been a major topic of discussion between developed and developing countries since UNCTAD IV in 1976. Progress in resolving this issue has been made, however, in successive sessions of UNCTAD's TDB. The 21st TDB in 1980 was successful in passing a compromise resolution 222 (XXI), "Debt and Development Problems of Developing Countries," which is a major step forward in meeting the concerns of both developed and developing countries. Resolution 222 (XXI) in pursuance of the 1978 TDB resolution 165 (S-IX) provided detailed features regarding debt problems of developing countries.

The major debt issues under discussion in UNCTAD forums include: (1) commitment of the developed countries to the adjustment of past assistance loans to easier terms, known as Retroactive Terms Adjustment (RTA), (2) the range of low-income countries which qualify for coverage under RTA measures, and (3) agreement on basic concepts (features) to guide international action on future debt problems. At the ministerial-level meeting of the TDB in March 1978, the developed countries committed themselves to seek further international negotiations on debt problems. (Resolution 165 (S-IX).) The 19th TDB in 1979 appeared to agree on the "features" text,

however, talks broke down over a covering resolution which posed four difficult issues for the United States: (1) it called for a link between acceptance of debt features and future RTA measures; (2) it sought to establish a focal point within the IMP/IBRD, with UNCTAD playing a role, to offer advice to LDCs with debt problems; (3) it sought to expand UNCTAD's role and special interest in creditor groups negotiations; and (4) it called for a future review of the implementation of features by UNCTAD.

The United States considers it inappropriate for UNCTAD to become involved in monetary questions properly the function of the IMF/IBRD and refuses to link agreement on debt features with an extension of RTA to all poorer developing countries. Resolution 222 (XXI) agreed upon at the 21st TDB in September 1980, however, satisfied our concerns that each developed country must determine the nature and distribution of RTA measures, and that the integrity of the Bretton Woods institutions must be preserved.

A Congressional initiative designed to provide legislative authority to undertake, subject to appropriations, case-by-case terms adjustment for past AID loans to the least developed countries failed to receive the necessary appropriations. The 1979 Foreign Assistance Act, however, provides that when least developed countries participate in Title III of PL 480 agreements and make local currency disbursements for acceptable development programs, such disbursements may be credited toward payments due in that fiscal year for that particular Title III agreement, and also toward amounts currently due on other PL 480 agreements.

ECONOMIC COOPERATION AMONG DEVELOPING COUNTRIES

In 1979 UNCTAD V adopted consensus resolution 127 (V) authorizing three exclusive meetings of governmental experts of developing countries on Economic Cooperation among Developing Countries (ECDC). The UNCTAD ECDC Committee is open to developed as well as developing countries. Subsequently UNCTAD's Trade and Development Board authorized two additional meetings over the negative votes of most of the developed countries. The Group of 77, however, sent invitations to the meetings, excluding the developed and developing countries that are not members of the Group, and full documentation for meetings of the governmental experts of developing countries has been limited only to country members of the Group of 77.

Subsequently, the problem of Group of 77 meetings in the UN system was compounded by the Group of 77's use of UNCTAD and other UN facilities for exclusive Group of 77 preparatory meetings prior to a Group of 77 ECDC ministerial-level conference in May 1981 in Caracas, Venezuela.

The developed countries have stated repeatedly that ECDC activities financed by UNCTAD and/or the UN system must be open to the entire membership of the UN body funding the meeting. Despite objections of the United States and other developed countries, an UNCTAD limited-access meeting of governmental experts of developing countries on ECDC was authorized by the resumed session of the November 4-6 23rd TDB. The President of the 23rd TDB, Ambassador Dabbagh, however, has undertaken consultations on behalf of the UNCTAD membership to ascertain methods by which ECDC might be carried out within UNCTAD in a manner acceptable to UNCTAD's entire membership. Basic ECDC issues under discussion in UNCTAD are: (1) a global scheme of trade preferences among developing countries, (2) cooperation among state trading organizations, and (3) establishment of multinational marketing enterprises.

The United States supports the ECDC concept because it is a recognition by developing countries that they themselves are primarily responsible for their own development. The United States believes, however, that ECDC meetings within the UN system must respect basic UN principles of universality and sovereign equality of states and, accordingly, must be open to all UN members, both developed and developing countries.

UN Conference on Least Developed Countries

In June 1979 UNCTAD V adopted a comprehensive and far-reaching resolution on the problems of the least developed countries which, *inter alia*, recommended convening a UN Conference on the Least Developed Countries to finalize, "adopt and support the Substantial New Program of Action for the 1980's." The General Assembly at its 34th session in December 1979 endorsed the UNCTAD resolution by virtue of resolution 34/203. The Conference was held September 1-14, 1981, in Paris.

The draft Program of Action prepared by the UNCTAD Secretariat stressed external assistance as the key constraint to development for these countries, and made a number of unrealistic and unacceptable aid and trade demands. At the Conference the OECD countries were successful in achieving a substantial degree of balance in the program of action, including highlighting the importance of domestic economic policy measures and of agriculture, energy, and population sectors in the development process of least developed countries. These moderating revisions notwithstanding, the U.S. Representative, in joining the consensus to adopt the program of action, observed that the program provided a solid base for action by each of the governments of the Conference. He said the United States believed that the jointly accepted commitment to make a special

effort to increase contributions and to increase them directly toward the least developed countries implicitly recognized that due account must be taken of national circumstances and that donor countries and institutions would employ a variety of criteria in allocating assistance funds. He stated that the U.S. position of not accepting specific targets for official development assistance related to the GNP had not changed. The United States believed the existing financial institutions capable of managing increased resource transfers and had taken the needs of least developed countries into account.

He went on to say the United States continued to oppose a special drawing rights (SDR) aid link and remained concerned that any such link could damage efforts to make SDR's the principal reserve asset in the international monetary system. In conclusion, the U.S. Representative said the United States was not in a position to support the concept of international taxation.

In its consideration of the problem, the United States has recognized the diversity of developing nations and realized the poorest countries have been least able to take advantage of international trade policy actions such as the Multilateral Trade Negotiations (MTN) or Generalized System of Preferences (GSP) or to obtain private market capital or investment flows. Accordingly, the United States is aware of the importance of concessional assistance flows to the development of these countries. The United States will support the overall efforts of the international community to assist the least developed countries and has taken measures to improve the quality of our aid to them.

On December 7 the Second Committee approved by consensus a draft resolution submitted by the Chairman of the Committee that endorsed the Substantial New Program of Action for the 1980's for the Least Developed Countries. Among other things, the draft resolution decided that the Inter-Governmental Group on the Least Developed Countries of UNCTAD should carry out a mid-term review in 1985, consider the possibility of holding a global review at the end of the decade which might take the form of another UN conference on the least developed countries, and readjust the Substantial New Program of Action for the second half of the decade to ensure its full implementation, and requested the Secretary General to submit to the 37th General Assembly a report on the implementation of the resolution.

The U.S. Representative in the Second Committee, Frank W. Brecher, said that the United States supported the Substantial New Program of Action and particularly welcomed the recognition given in the Program to the complementarity between domestic and international measures, and intended to work with the least developed countries for the achievement of their development activities.

On December 17 the United States joined the consensus by which the plenary Assembly adopted resolution 36/194.

Commission on Transnational Corporations

The Commission on Transnational Corporations (TNC) was established in 1975 by ECOSOC resolution 1913 (LVII) to assist the Council "in fulfilling its responsibilities in the field of transnational corporations." Its mandate includes (1) acting as a forum within the UN system for consideration of issues relating to transnational corporations; (2) promoting the exchange of views between and among governments and non-governmental groups; (3) providing guidance to the Center on Transnational Corporations; and (4) developing a Code of Conduct relating to Transnational Corporations.

The Commission held its 7th session August 31–September 14, 1981, in Geneva. Dr. Seymour Rubin, U.S. Representative to the Commission, led the U.S. delegation. The main subjects discussed were: the report on the activities of the Center for Transnational Corporations (CTC); the progress of the Intergovernmental Working Group (IGWG) on the formulation of the Code of Conduct, the progress in the development of an information system on TNC's, the role of the information system regarding the exchange of information on banned hazardous chemicals and unsafe pharmaceuticals, the report on transborder data flows, and the CTC technical assistance program.

As in previous years the activities of transnationals in South Africa were discussed. The discussion led to a highly condemnatory resolution which the United States voted against.

CODE OF CONDUCT

The IGWG met three times during 1981 (January 5–23, April 6–17, and May 18–29). Drafting of the detailed Code provisions has progressed slowly due to considerable differences between the negotiating groups. The IGWG has completed a first draft on about two-thirds of the Code, with changes in language suggested by CTC members incorporated in the draft, although set apart by brackets. As of the end of 1981, the IGWG had not begun drafting work on the sections concerning implementation, preamble, objectives, definitions, and scope of application. ECOSOC has approved holding three more sessions in 1982 in order to complete the draft code for submission to the eighth commission session in 1982.

The U.S. position on the nature and scope of the proposed Code remains that it should be voluntary in nature; it should be appropriately balanced in referring to the responsibilities of govern-

ments as well as firms; it should not be used as a basis for discriminatory action against multinational enterprises as opposed to domestic firms; it should provide that TNC's be given equitable treatment in accordance with international law; and it should apply to all enterprises whether their ownership is private, government, or mixed. The positions of other developed countries have been basically similar to those of the United States, although some disagree on what points to emphasize in the negotiations.

In contrast to the views of the developed countries, many of the delegations comprising the Group of 77 have argued that the Code should be binding in nature and legally enforceable by states and that it should uphold the concept of "permanent sovereignty," i.e., the absolute power of a state to regulate exclusively according to national law matters concerning its wealth, resources, and economic activities. The same group also has maintained that negotiations on the Code of Conduct and on an illicit payments treaty should be linked, so that both are completed at the same time.

INTERNATIONAL STANDARDS OF ACCOUNTING AND REPORTING

In 1977 a UN Group of Experts produced a report on International Standards of Accounting and Reporting. The group was composed of private (as opposed to government) experts. Its mandate was to improve the comparability of TNC accounting data. Ignoring its mandate, the group put together a report outlining an extensive list of disclosure items, including many not currently required by the United States or other developed countries.

The Commission at its fourth session in 1978 did not endorse the report. It recommended instead that ECOSOC establish a new *Ad Hoc* Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting to formulate priorities for further steps in the field of international standards of accounting and reporting. The Commission also recommended that the group focus on accounting and reporting standards as they relate to the work on the Center's information system and discussions on the Code of Conduct.

The Group had met twice in 1980, and during January 19-30 and March 16-27, 1981, in New York. It had discussed the list of financial and non-financial items recommended for disclosure which were drawn up by the Group of Experts in 1977 and completed its review of the financial items for disclosure by Transnational Corporations. It still had not completely fulfilled its mandate however, and ECOSOC has approved holding two more sessions in 1982, with the objective of submitting its final recommendations to the Commission at its eighth session scheduled for late August or early September 1982.

Illicit Payments and Corrupt Practices

ECOSOC resolution 2041 (LXI) established the *Ad Hoc* Intergovernmental Working Group on the Problem of Corrupt Practices (IGWG) to examine the serious problem of bribery and extortion in international commercial transactions, and to undertake preparatory work on a comprehensive draft international agreement to prevent and eliminate such practices. A complete and largely unbracketed draft agreement was prepared by the Committee that succeeded the IGWG in the spring of 1979. Further progress has been blocked by the insistence of most developing nations through the Group of 77, that a diplomatic conference to conclude an agreement on illicit payments be tightly linked to a conference to adopt a general code of conduct relating to transnational corporations.

The adoption of a treaty on illicit payments would impel the worldwide application of restrictions similar to those that the United States now enforces against such payments. Lack of UN action on that issue is detrimental to U.S. interests because it perpetuates the existence of a competitive disadvantage under which U.S. exporters now do business.

United Nations Children's Fund

The United Nations Children's Fund (UNICEF) was established by the 1st session of the General Assembly in 1946 to help destitute children, victims of the Second World War. It had evolved by 1953 into an agency engaged largely in stimulating interest in the plight of children and helping the developing countries with long-range development and welfare of their children. UNICEF has its headquarters in New York, but maintains a branch office in Geneva and has offices in many of the 111 developing countries currently receiving assistance. The UNICEF Secretariat is headed by an Executive Director who receives policy guidance and formal direction from a 30-nation Executive Board,¹⁰ one-third of whose members are elected annually by ECOSOC.

The Executive Board—of which the United States always has been a member—examines policy questions, approves programs proposed by the Executive Director for individual countries as well as for regions, and reviews and approves UNICEF's budget. It meets at least once annually in May in New York, although on occasion the

¹⁰ Members of the Board in 1981 were Australia, Barbados, Belgium, Botswana, Brazil, Burundi, Byelorussian S.S.R., Canada, China, France, Federal Republic of Germany, Ghana, Hungary, India, Japan, Libya, Mexico, Netherlands, Norway, Philippines, Senegal, Somalia, Sweden, Switzerland, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia. Beginning on August 1, Austria, German Democratic Republic, Ivory Coast, Pakistan, Togo, and United Arab Emirates replaced Byelorussian S.S.R., Ghana, Netherlands, Philippines, Senegal, and United Kingdom on the Board.

annual meeting has been held abroad. The tendency in recent years has been to hold special sessions in addition to the regular one, two of these having been held in New York in 1981, one to deal with the question of aid to African refugees, and the other to approve a biennial budget for UNICEF after the regular meeting failed to produce agreement.

The year was notable for several problems which arose to beset UNICEF. The normal serene and apolitical consensus which had characterized the Board meetings since the beginning were interrupted in May 1981 by U.S.S.R. efforts to inject the disarmament issue into the proceedings. Another major difficulty arose out of the conflict between the perceived needs of children in the world and the ability of countries to contribute to UNICEF in a time of economic stringency. The ambitious proposals of the Executive Director for very significant expansion of current UNICEF efforts on behalf of children were resisted by the United States and the other major donors. The result was that not only were the proposed programs held substantially to previous levels, but also for the first time the Board declined to approve the budget for administrative and program support. This refusal resulted in a special session in October, at which final approval was given to a budget in which the large increases sought by the Executive Director were trimmed to more reasonable levels.

JANUARY SPECIAL SESSION

At a special session January 22-23 in New York the UNICEF Executive Board noted reports by Executive Director James P. Grant (U.S.). The first was on the progress made by the Gulf Arab Development Foundation which was being created by seven states of that region to contribute substantial funds to UNICEF. The second concerned UNICEF's continuing role as lead UN agency in the Kampuchean emergency relief effort, and the third was on the emergency situation in nine African countries plagued with displaced persons and refugees. The Board welcomed the Arab effort, then estimated at \$200 million; approved the continuation of UNICEF as lead agency in Kampuchea throughout 1981; approved \$10.65 million from UNICEF's general resources for aid to the mothers and children in nine African countries; and "noted" proposals for \$19.83 million to be financed from supplementary funds if and when available.¹¹ The Executive Director linked UNICEF's increased ability to provide help to these African countries to the anticipated funds from the Gulf Arab states. The U.S. Representative, Marjorie

¹¹ Program recommendations that go beyond the availability of general resources are prepared often. These are then "noted" by the UNICEF Executive Board as suitable for funding from supplementary contributions made by donors for specific purposes.

Craig Benton, expressed the concern of a number of countries at such a dependence on funds not even pledged as yet. She pointed out that should the Arab funds not be forthcoming, UNICEF would have to absorb the difference from programs in progress elsewhere in the world.

REGULAR MAY SESSION

The regular session of the UNICEF Executive Board May 11-22 proved to be atypical. The Hungarians, following the lead of the U.S.S.R., introduced the issue of disarmament on the agenda, thus breaking with UNICEF's tradition on apolitical deliberations. The United States participated in an effort led by Canada to keep the Board from adopting any resolution on that subject, which was considered irrelevant to UNICEF's work. Although the UNICEF Board had taken only two votes previously in its 34-year history, it became necessary to take three to block the Soviet effort. The first two were procedural. The first on cloture proposed by the Federal Republic of Germany was approved by 14 (U.S.) to 6, with 6 abstentions. The next vote on a Canadian resolution rejecting the U.S.S.R. and Hungarian proposals was approved by a vote of 13 (U.S.) to 7, with 7 abstentions. Nonetheless, a third, relatively innocuous, resolution introduced by Senegal recalling 1978 action by the Board during the first UN special session devoted to disarmament was approved but did not call for any action or message to the upcoming second special session on disarmament. The action was approved by a vote of 11 to 8 (U.S.), with 11 abstentions.

Of more substance at the Board meeting was the question of funding UNICEF programs. The United States and other major donors expressed great concern over the Executive Director's overly optimistic estimates of future income and proposed program commitments based on those estimates. As a result of this concern the Executive Director scaled down his program requests by 12½%. Programs totaling \$307 million in new commitments were approved at this meeting to be expended over the next 5 years. The Board also "noted" projects of program assistance totaling \$156.2 million to be implemented, provided supplementary contributions were received for them from individual donor nations.

Geographically, UNICEF's new program commitments in 1981 were distributed as follows: \$102.5 million to Africa; \$91.8 million, East Asia and Pakistan; \$116.7 million, South Central Asia; \$49.5 million, the eastern Mediterranean; \$6.8 million, the Americas; and \$18.1 million for Interregional and for Europe (Turkey).

UNICEF helped 110 countries in 1981 with a total expenditure of \$292.4 million. Of that amount \$218.2 million went for programs, broken down into \$94.8 million for maternal and child health, clean

water, and family planning; \$32.3 million for formal and non-formal education; \$14.1 million for child nutrition; \$21.5 million for other general expenses such as country planning and program preparation; \$17.6 million for social welfare services; and \$37.9 million for emergency relief (\$27.2 million of which came from a special fund for Kampuchea). Program support services cost \$45.2 million and administrative support, \$29.0 million.

ADMINISTRATION AND FINANCE

The Board focused mainly on the biennial budget for 1982-83, which includes the Program Support and Administrative Services funds. The Board declined to approve the Secretariat's proposals for the first time in UNICEF history, a move that required a special session of the Board in October. The Board found the proposed biennial budget of \$219 million too large, and many members, including the United States, objected to the massive increases proposed in personnel—384 new positions. Although the Board did approve a revised 1981 budget to reflect necessary changes since that budget originally was approved in May 1980, it referred the biennial budget to the ACABQ for expert review before the special session.

OCTOBER SPECIAL SESSION

The Board reconvened October 22-24 in New York to consider anew the biennial budget and the ACABQ recommendations. Going well beyond the ACABQ recommendations, the Board approved a scaled-down biennial budget for 1982-83 of \$171 million (compared with a total of \$143.5 million for the 1980 and 1981 budgets) and only 30 new positions of the 384 originally requested. The Board also approved a revised "rolling" 5-year plan for 1980-84 using low income projections of government contributions. The United States and other major donors sought austerity in the UNICEF budget so that it would be tailored more nearly to the realities of the world economic situation while recognizing the importance of giving all possible aid to children and mothers. This call by donor countries for an austere budget elicited a relatively favorable response from most recipient countries as well. As a result the real growth rate in delivery of UNICEF assistance during 1982-83 is expected to be about 1%.

The first installment from the Gulf Arab States of \$4.6 million of a pledge for 1981 of \$25 million was received in December with additional transfer expected during the coming year.

KAMPUCHEA

In 1981 UNICEF became the sole "lead agency" in the Kampuchean relief effort after the International Committee of the Red Cross

dropped out at the end of 1980. The relative easing of the crisis, and the reluctance of the Executive Board and Executive Director to keep UNICEF in a lead agency role over an extended period, led UNICEF to relinquish this role to a UN entity headed by Sir Robert Jackson (Australia). During the year UNICEF received special contributions for Kampuchean relief of \$22.7 million (of which \$6.4 million was from the U.S. Government) and expended \$27.2 million. As part of the transition UNICEF agreed to lend to Sir Robert Jackson a number of its key personnel in Thailand and Kampuchea for the first part of 1982.

U.S. CONTRIBUTION

The United States contributed just under \$36 million to UNICEF in 1981 under the provisions of its fiscal year 1981 continuing resolution. At the annual pledging conference for 1982—held November 3–4, 1981, in New York—the United States was unable to pledge pending completion of Congressional action. By the end of the year, however, the Congress had approved \$41.5 million for UNICEF for 1982—the largest pledge UNICEF had received.

Population Activities

The Fund for Population Activities (UNFPA) was established in 1967 by the UN Secretary General as a special trust fund and was brought under the General Assembly under the guidance of ECOSOC's own authority in 1972. Since 1973 the Fund has operated with a separate identity and the general oversight of the UNDP Governing Council. UNFPA entered the 1980's as a source of population assistance second only to the U.S. Government. The principal matters of concern this year have been new major program proposals, the growing gap between UNFPA program commitments and its prospective contributions, UNFPA's role in the 1980's, and support for a proposed 1984 World Population Conference.

The overall allocations of UNFPA funds in 1981 totaled \$133 million (preliminary estimate). Allocations in 1981 for family planning accounted for 44% of approved budgets; another 19% supported basic data collection; and 4% was allocated to education and communications programs closely related to the implementation of family planning programs. For its income UNFPA depends entirely on voluntary contributions from member governments. Contributions pledged in 1981 were \$121 million as compared to \$126 million in 1980. As in previous years the United States was the largest donor to UNFPA in 1981, making a contribution of \$32 million.

At its meeting in June 1981, the UNDP Governing Council directed UNFPA to review and reassess its total program to bring

budget commitments into harmony with realistic projections of income, and to introduce the priorities identified by the Council. UNFPA is therefore mandated to reshape, insofar as possible, its entire activity portfolio, so that its work plan will be in line both with available resources and with priority emphasis on family planning by June 1982. During 1981 reductions and reprogramming were effected by considering together both existing and newly proposed activity; in 1982, however, no new program commitments will be considered. The effect of the Governing Council decision is to encourage a rapid transformation of UNFPA's program from the emphases of the 1970's to those that will characterize the 1980's.

The Population Commission, an intergovernmental body of the ECOSOC which meets biennially, serves a valuable role by focusing attention on population matters. The United States has been a member since it was established in 1948, primarily as a forum for demographers. In recent years the Commission has placed more importance on issues of population policy. It helped to prepare the World Population Conference held in Bucharest in 1974, and the importance of the Commission's role has continued to grow with its assumption of the task of monitoring the implementation of the World Population Plan of Action (WPPA) adopted at that conference. The Commission met this year to review the WPPA and identify areas needing additional priority attention by governments, as well as to consider the proposed UN program budgets and medium-term plans for population.

A major agenda item at the 1981 meeting of the Population Commission was a proposal for convening a World Population Conference in 1984, 10 years after the first one. The Commission recommended holding such a Conference, but left the issue of funding to the summer session of ECOSOC. Subsequently the Council, without taking a position on the merits of the Conference, recommended that UNFPA should not contribute to the 1984 Conference costs (in 1974 UNFPA financial support was a major input toward that Conference). If the 1984 Conference is held, the United States—although aware of the problems of amassing sufficient voluntary contributions—favors restricting its funding primarily to extra-budgetary resources. At its resumed session in November 1981, ECOSOC adopted a resolution endorsing a Conference, but the problem of funding was further deferred for consideration by the Council in 1982. (Resolution 1981/87.)

On December 17 the plenary Assembly adopted by consensus a resolution recommended by the Second Committee. (Resolution 36/201.) The resolution, *inter alia*, established an annual UN Population Award for the most outstanding contribution to the awareness of population questions or to their solutions, by an individual or individuals, or an institution, to be presented through the United

Nations; adopted the statute of the award, the text of which is annexed to the resolution; and requested the Secretary General to establish a trust fund to receive voluntary contributions which will constitute the financial resources of the award.

World Food Council

The World Food Council (WFC) was created by the UN General Assembly pursuant to a recommendation of the 1974 World Food Conference. The Council, the "highest political body" of the UN system charged with world food and agricultural matters, has no operational functions; it is an executive body whose functions are primarily of an advisory, coordinating, and recommendatory nature. A ministerial session of the WFC makes is held each year to review major problems and policy issues affecting the world food situation. Based on its review the WFC recommendations to the UN system, regional organizations, and governments on appropriate steps by which to forge an integrated approach toward solving world food problems. The Council has 36 members.¹²

On February 9-11 the World Food Council held a regional workshop on food sector strategies, cosponsored by the Inter-American Development Bank and the Mexican Government, in Mexico City. The conclusion of the workshop, as published in the report, was that hunger, malnutrition, and food shortages are a grave problem in the majority of Latin America and Caribbean countries and that each country should prepare an explicit and coherent national food strategy. The national food strategy should be formulated by each government in accordance with its own specific geographic, economic, social, and political circumstances.

A preparatory meeting was held April 21-24, 1981, in Rome prior to the 7th Session of the Council. The U.S. delegation's interventions were, by and large, on the issue of food in the context of the International Development Strategy, which centered on an eight-point food security package. The United States questioned the validity of the approach, which neglected the production side of the equation. The U.S. delegation defended the role of the transnational corporations in economic development after allegations by the Soviet delegation that transnational corporations obstruct development.

The 7th ministerial session of the Council met May 25-29, 1981, in Novi Sad, Yugoslavia. It unanimously elected as its President Mr. Francisco Merino Rabago, Secretary of Agriculture and Water

¹² WFC member countries: Argentina, Australia, Bangladesh, Barbados, Botswana, Canada, Colombia, Egypt, Ethiopia, France, Federal Republic of Germany, Ghana, Haiti, Honduras, Hungary, India, Indonesia, Iraq, Italy, Japan, Liberia, Mexico, Nicaragua, Norway, Pakistan, Philippines, Romania, Rwanda, Senegal, Sudan, Thailand, U.S.S.R., United Kingdom, United States, Yugoslavia, Zaire.

Resources of Mexico. The Council welcomed the increased recognition of the need for food strategies to focus and integrate national efforts, to promote national agricultural development efforts, and to mobilize international support in favor of coordinated policies and programs for the resolution of food problems in the areas of greatest need.

The WFC proposed a world food security net to be established at the international level in support of developing countries' efforts to resolve their food problems. The food security net called for: (1) the conclusion of a new Wheat Trade Convention; (2) acceleration of construction of food storage, handling, and distribution infrastructures in LDCs; (3) action by IMF on a food financing facility; (4) renewing the Food Aid Convention for a 5-year period and at a 10-million-ton level; (5) an International Emergency Food Reserve of 500,000 tons; (6) strengthening the World Food Program and achieving its target program levels; (7) food crisis contingency measures; and (8) a food crisis contingency reserve. The idea received only moderate support.

The United States reserved on three paragraphs in the WFC's final report. The United States questioned the utility of the concept of a food security net, because such a package would serve only to detract attention from the fundamental problem, which is production. The delegation reserved on the concept of national support strategies, because the subject was discussed only in a very preliminary manner and the relevant issues and their implications needed to be defined clearly before a decision could be taken on the proposal. Also, the United States stated its strong belief in the importance of adequate reserve stocks to world food security, and noted that it was unique in having developed reserve policies to meet domestic objectives and international needs. Nevertheless, the United States reserved on the Council's recommendation for the conclusion of a new Wheat Trade Convention with economic provisions and urged other countries to begin to establish their own reserve programs instead of waiting for a new convention or other international action.

The Council affirmed that a major effort should be made to attain the pledging target of \$1 billion for the World Food Program for the 1981-82 biennium and that the International Emergency Food Reserve should be replenished to the level of 500,000 tons per annum. It also called for replenishment of the International Fund for Agricultural Development (IFAD) at a level sufficient to obtain its objectives, taking into account the increased needs of developing countries for external resources.

SOCIAL ISSUES

Drug Abuse Control

During 1981 the United States continued to promote greater international cooperation in the prevention and control of drug

abuse. In the three UN bodies most involved in drug abuse activities, the Commission on Narcotic Drugs, the Economic and Social Council, and the General Assembly, the United States maintained its leadership role and reflected the Government's concern for drug abuse as a serious national, regional, and international problem. During the year, the Commission, the ECOSOC, and the General Assembly each endorsed, in turn, an International Drug Abuse Control Strategy, which was developed over a 4-year period with strong U.S. support. This strategy has the potential to lend new impetus and direction to the worldwide fight against drug abuse.

COMMISSION ON NARCOTIC DRUGS

The Commission on Narcotic Drugs (CND) held its 29th regular session February 2-11, 1981, in Vienna. Delegations attending the session represented the 30 members of the Commission¹³, 38 observer countries, 11 international organizations, 12 intergovernmental and non-governmental organizations, and representatives of private industry. The U.S. delegation was headed by Ambassador Roger Kirk, U.S. Resident Representative to the International Atomic Energy Agency. Other members of the U.S. delegation included representatives from the Departments of State, Treasury, Justice, and Health and Human Services.

Many of the representatives to the Commission from other nations were high-level governmental officials from ministries of health and national drug abuse and enforcement institutions. Observers believed that the level of representation demonstrated the depth of international concern over drug abuse and the need to approach it as a multilateral issue rather than simply a domestic problem. Participants in the session agreed that the international community must work together to control drug abuse. Several expressed the view that the financial resources available to combat drug abuse, whether in national budgets, in the regular budgets of the specialized UN agencies, or through voluntary contributions to the UN Fund for Drug Abuse Control (UNFDAC), are very small in relation to the international magnitude of the growing drug abuse problem.

Four major issues were addressed by the Commission.

International Drug Abuse Control Strategy

The Commission (with the United States playing a major role) devoted considerable time to revising and finally approving the draft

¹³ CND member countries: Algeria, Argentina, Australia Belgium, Brazil, Colombia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Madagascar, Malawi, Mexico, Norway, Pakistan, Panama, Spain, Thailand, Togo, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, and Yugoslavia.

international strategy and policies document prepared by the Division of Narcotic Drugs. The resolution endorsing the final document was passed by consensus and provides for a long-term strategy for drug control and a short-term, 5-year program. The United States was in the forefront of the drafting of the original 1977 General Assembly resolution¹⁴, which requested development of an international strategy, and actively participated in the evolution of the document.

The long-term strategy defined six broad objectives: (1) improvement of the drug control systems; (2) achievement of a balance between demand for a supply of narcotic and psychotropic substances for medical and scientific purposes; (3) eradication of the illicit supply of drugs; (4) reduction of illicit drug traffic; (5) reduction of demand for illicit drugs and prevention of illicit use of licit drugs; and (6) treatment, rehabilitation, and social reintegration of drug abusers. The short-term strategy outlined several project proposals to be carried out if adequate financial resources were available.

The Commission attached a great deal of importance to the strategy, and member states were urged to transmit the goals outlined to appropriate government officials so that compatible national drug abuse programs could be developed and implemented. Although the international strategy focused on a multilateral approach to drug abuse control, it was noted that participation and commitment by national governments were also essential.

Drug Abuse and Trafficking

The United States and the Commission as a whole expressed deep concern over the continuing and alarming trends in drug abuse and illicit trafficking. It was noted that not only are drug abuse and illicit trafficking growing problems, but that the patterns of abuse and trafficking in both licit and illicit substances are changing.

Reports from member and observer countries indicated that Southwest Asia is a major supply source of heroin to the United States. Europe witnessed an increase in heroin trafficking, and developing countries reported greater trafficking in many kinds of dangerous drugs. The United States expressed particular concern over the incidence of large-scale trafficking of cocaine, cannabis, and methaqualone in the Caribbean area. The United States said that methaqualone represents a large-scale problem that the Commission needed to address. Other areas of emphasis included the need for

¹⁴ Resolution 32/124. Segments of the international community, including national governments and regional organizations, were asked to commit themselves to implementing and following through on the strategy's goals. U.S. officials also expected that the strategy would provide some necessary multilateral coordination (between governments as well as between the relevant international organizations) in drug abuse control.

seizure of financial assets of traffickers and for continued attacks on clandestine laboratories. The strategic importance of international law enforcement efforts was stressed as a vital means of coping with major aspects of the trafficking problem.

Following these discussions the United States introduced a resolution which promoted voluntary import and export controls on psychotropic substances, particularly highly abused drugs such as methaqualone. This resolution, designed to strengthen the implementation of the Convention on Psychotropic Substances of 1971, acquired several cosponsors and passed by consensus. Within the first year of international compliance with this resolution, the U.S. Drug Enforcement Agency reported that 58 tons of illicitly trafficked methaqualone were seized internationally.

Discussion of current trends in the abuse of drugs highlighted the increasing use of more potent forms of cannabis, particularly among young people, and the rise in heroin abuse in some European countries and parts of the United States. Several countries voiced concern over the non-medical use of psychotropic substances, particularly stimulants and methaqualone. The International Narcotics Control Board (INCB) reported an increasing prevalence of abuse of amphetamines, barbituates, and methaqualone. Considerable attention also was focused on the existing control system established by the Psychotropics Convention and possible improvements to that convention. Also mentioned was the emerging problem of abuse of multiple drugs in developing countries.

Another Commission resolution was aimed at promoting greater understanding of drug abuse by the general public. It urged governments to supply accurate information on drug abuse to their citizens while discouraging, within national laws, the promulgation of material that promotes drug abuse. The United States voted with the majority in favor of this resolution.

Licit Opium Requirements

The 1980 Report of the International Narcotics Control Board—as provided to the Commission—described, as in the past, a situation of oversupply of opiates produced for medical and scientific purposes, despite substantial reductions that have been made in opium cultivation and in opium and poppy straw production. The Board recommended that special consideration be given to India and Turkey, as the longest established producers, in an effort to alleviate the situation of oversupply.

This issue provoked a considerable debate at the 29th session among Turkey, India, and Australia over the term “traditional suppliers.” India and Turkey said they considered themselves “traditional suppliers,” while Australia said it believes it also should be

considered a "supplier" entitled to a legitimate share of the international market. A resolution cosponsored by India and Turkey was passed by a vote of 23 to 2 (Australia, Norway), with 3 abstentions (Thailand, United Kingdom, United States). It endorsed the Board's report and asked, *inter alia*, that parties support India and Turkey in their purchases; it called upon other suppliers to limit their production mainly to meet domestic needs. The United States abstained because the resolution was more restrictive than those of the previous two sessions, and because a new domestic policy on this issue currently was being formulated and was not yet complete. Later in 1981 the United States adopted an import policy which stipulated that at least 80% of the country's requirements of opiates for medical/scientific purposes should be provided by India and Turkey with 20% to be supplied by Australia, France, Yugoslavia, Hungary, or Poland.

Drug Scheduling Decisions

The Commission took several decisions regarding the scheduling of drugs under the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971. In accordance with recommendations made by WHO's review group on drug scheduling, the Commission agreed to place four drugs—benzphetamine, mazindol, phendimetrazine, and phentermine—into Schedule IV of the Psychotropics Convention. Also, in conformity with a WHO recommendation, it was voted to place certain preparations of dextropropoxyphene (DPX) into Schedule III of the Single Convention.

On another topic regarding dextropropoxyphene, the Commission (with U.S. support) agreed that its 1980 decision to place DPX into Schedule II of the Single Convention had been correct. The U.S. vote supporting the 1980 decision was based on the technical and medical advice of the Drug Enforcement Administration and the Department of Health and Human Services.

The Commission discussed the drug pentazocine in response to a notification by the Austrian Government requesting a review of the drug for scheduling under the Single Convention. After a brief discussion a vote was taken to apply provisional controls until a review had been made by WHO and to make a final determination. Some delegations, including the United States, argued that provisional control under Schedule I of the Single Convention was too extreme a measure in view of the lack of evidence of an emergency or epidemic situation and the lack of a WHO review and recommendation. During the Commission's final session, the text of the report was reviewed. The United States, working in collaboration with 14 other delegations, persuaded the Commission to reverse its position.

Instead of imposing provisional controls on pentazocine, the Commission requested WHO to review the drug at the earliest possible date for a possible mail vote on the question of scheduling.

Beyond the scheduling decisions concerning specific drugs, the U.S. delegation also urged that the Division of Narcotic Drugs and the WHO, with its expert committee on drug scheduling, continue to clarify their roles in the scheduling process. It was noted that the entire drug scheduling process seemed insufficiently defined and structured. With the Commission becoming more active in international scheduling questions, the U.S. delegation said it was of great importance that members of the Commission clearly understand the process and the issues involved when drugs are recommended for scheduling or rescheduling.

Other Matters

The United States cosponsored a resolution, which passed with broad support, urging the voluntary reporting of statistics on the cultivation of *Papaver bracteatum* and the manufacture of thebaine-derived drugs obtained from *Papaver bracteatum*. Through this resolution, a species of poppy not controlled under the Single Convention was placed under closer scrutiny through the implementation of voluntary reporting mechanisms. A resolution calling for the prevention of the introduction of low-quality or falsely labeled narcotic drugs and psychotropic substances into developing countries also was adopted.

The U.S. delegation questioned the necessity and costliness of having a special session of the Commission in 1982 (special sessions have been held in the years between regular sessions since 1972), and sought to have no meeting in 1982. It argued that although drug abuse was a serious problem deserving increased attention, annual meetings of the Commission were not necessary to provide that attention. Although this effort was unsuccessful the final resolution proposing the special session for approval by ECOSOC and the General Assembly did limit the 1982 meeting to 5 working days.

ECOSOC

At its first regular session in April, ECOSOC considered the report of the 29th session of the Commission on Narcotic Drugs and the report of the INCB for 1980. Following discussion of these documents the Council adopted resolutions and decisions contained in the Commission's report.

On April 16 the U.S. Representative, Warren Clark, said that the United States commended the INCB for its outstanding report. He stated that the United States shared the Board's concern regarding

the increasing seriousness and complexity of the worldwide drug abuse problem, and believed the international community could work with the Board to reverse the trend. He went on to commend the secretariat of the Commission for its excellent report of the 29th session. The U.S. Representative expressed concern over the recommendation calling for convening a special session of the Commission in 1982. The United States agreed that some important issues deserved attention by the Commission in 1982, but questioned the financial implications of holding a special session and opposed it if it means an increase in the UN regular budget for 1982.

That portion of the Commission's report concerning strategies and policies for drug control is the result of a 3-year effort to develop a comprehensive multilaterally oriented strategy for drug abuse and control. Involving as it does many parties, it reflected the broad commitment by all to the eradication of drug abuse in all its forms. The strategy provides the guidelines; the nations and regional and international organizations must undertake the activities to achieve the goals.

The first resolution, concerned with the extensive and increasing abuse of psychotropic substances and related trafficking, which often involves diversion from licit channels, encouraged greater control of trafficking through improved implementation of the 1971 Convention on Psychotropic Substances. (Resolution 1981/7.) The second—concerned with the promotion of understanding of the problems of drug abuse by the general public—requested governments to “attribute primary importance to ensuring that full and accurate information concerning the hazardous effects of the abuse of narcotics is available to all who may be able to assist in preventing drug abuse, especially among young people.” (Resolution 1981/9.)

A third resolution (1981/8) urged governments to maintain a worldwide balance between the supply of narcotic drugs and the legitimate demand for these drugs for medical and scientific purposes. It requested the INCB to work to achieve this balance. The final resolution endorsed the holding of the 7th special session of the Commission in 1982 for 5 days. (Resolution 1981/10.)

On May 7, 1981, Betty C. Gough (U.S.) was reelected to the INCB for another 5-year term beginning on March 2, 1982, and expiring on March 1, 1987.

GENERAL ASSEMBLY

The Third Committee of the 36th UN General Assembly took up the international problems of drug abuse control in November as part of its consideration of the ECOSOC report.

On November 27 the U.S. delegation introduced a draft resolution, “International Drug Abuse Control Strategy,” which was cospon-

sored by nine other countries¹⁵. Under this resolution the General Assembly would adopt the International Drug Abuse Control Strategy and basic 5-year program of action developed by the Committee and transmitted by the ECOSOC in May. It also urged governments to give high priority to the implementation of the strategy, and it requested the Committee to establish, within available resources, a task force to monitor, review, and coordinate implementation of the strategy. The voluntary contributions to the UN Fund for Drug Abuse Control.

On the same day Congressman Benjamin A. Gilman, a member of the U.S. delegation, spoke in the Third Committee on international cooperation in drug abuse control. He described the U.S. resolution endorsing the International Drug Control Strategy, reemphasized the U.S. commitment to combatting international drug abuse problems, and called on all member nations to increase their drug control efforts. He explained, "The spirit and the intent of this resolution is to encourage a greater global commitment to the fight against all aspects of the problems associated with the production, trafficking, and consumption of illicit drugs. The time has come for this Committee and for the General Assembly to endorse this effective, comprehensive, coordinated global drug strategy . . .-a strategy that can be linked to regional and national drug strategies . . .-a strategy designed to translate noble objectives into substantive details for controlling and ridding our nations of drug abuse." The resolution was adopted by the General Assembly on December 16. (Resolution 36/168.)

The Assembly also adopted by consensus a resolution introduced by the representative of the Bahamas and calling for more effective implementation of efforts to control drug trafficking. (Resolution 36/132.)

UN FUND FOR DRUG ABUSE CONTROL

In 1981 UNFDAC supported programs in 15 countries, comprising a total of 28 sectoral projects, on a total budget of about \$7 million. About 75% of UNFDAC's total budget allocation was expended on specific country programs. Within the country programs most emphasis was placed on multisectoral rural development schemes. This was in accord with UNFDAC's policy that control of drug abuse requires changes in the socio-economic framework in which cultivation, trafficking and consumption of illicit drugs occur.

In terms of specific activities about 42% of UNFDAC's budget allocations to country programs was given to law enforcement activities. Income substitution projects involving agriculture/live-

¹⁵ Australia, Bolivia, India, Malaysia, Mali, Morocco, Pakistan, Sweden, and Turkey.

stock schemes received nearly 30% of budget allocations to country programs, while health and rehabilitation projects received approximately 24%. This distribution reflected the important law enforcement projects undertaken in Turkey and Egypt in 1981; the operation of rural development programs in Burma, Lao People's Democratic Republic, Pakistan, and Thailand; and the new projects in the demand reduction field started in Colombia and Ecuador.

During the year 35 countries made cash contributions or written pledges totaling \$4,855,311. Private contributions came to \$754,150, with all contributions totaling \$5,609,461. Since the initiation of the Fund in 1971, the United States has provided 57.4% of the total funding. Congress passed legislation during 1980 limiting the 1981 U.S. contribution to the Fund to 50% of total contributions or \$3 million, whichever was less. During the year the United States contributed or pledged to contribute \$2.15 million. A similar amount for UNFDAC was included in the 1982 appropriations bill passed by Congress at the end of 1981. and approval of the appropriations committees. Two resolutions were passed at the 1981 Commission in support of UNFDAC. Both encouraged the strengthening of fundraising activities and greater UN involvement in international drug abuse control activities.

As a result of encouragement by the United States and other delegations, the Fund sought, and acquired, the Secretary General's consent to participate in the 1981 UN Pledging Conference for Development Assistance. At the November 1981 conference, 18 countries pledged approximately \$3.5 million. Several of those countries pledging represented first-time contributions or the resumption of contributions after an interruption of several years.

Disaster Relief

During 1981 attention centered on discussion of the Joint Inspection Unit (JIU) report critical of UN Disaster Relief Office (UNDRO) and on passage of a resolution by the General Assembly promoting increased cooperation in the area of coordination of emergency humanitarian assistance. UNDRO is charged by the General Assembly with coordinating the assistance of the UN system in disaster situations and with obtaining and disseminating information concerning disasters which might be of use to bilateral donors and voluntary organizations. It also attempts to promote disaster preparedness.

The JIU report on UNDRO, which surfaced in the fall of 1980 and was released officially in early 1981, contained a large number of criticisms of the operation, management, and general role of the agency. The United States participated in a series of discussions with representatives of both developed and developing country govern-

ments concerning the JIU report. These efforts were aimed at ensuring that UNDRO and the concerned organs of the UN Secretariat would make a careful analysis of the JIU report and clearly determine which of its recommendations should be implemented.

Although the U.S. Government and some other major donors tended to support most of the JIU recommendations initially, it became apparent as discussion proceeded that it would be impossible and possibly undesirable to implement all of them. For example, the JIU recommended that UNDRO confine its efforts to assistance and preparedness for natural disaster. Although the U.S. Government agreed that a concentration of the scope of UNDRO's actual activity might be desirable, a formal restriction on its mandate in cases of sudden natural disaster would not. Such a restriction could lead to inflexibility in the UN system and prevent or delay response to needs that might not be within the specific scope of the several agencies concerned with meeting humanitarian needs. In particular, the ability of the system to respond to manmade disasters might be hampered if UNDRO were restricted to sudden natural disaster.

The JIU also suggested that several trust funds through which governments might channel voluntary contributions to UNDRO should be abolished. The United States and other governments took the position that the trust funds continued to serve a useful purpose at little cost and that they should not be eliminated. A suggestion by the JIU that UNDRO's staff could be reduced by as much as 50% was considered impractical because it would not permit sufficient staff to carry out UNDRO's functions. However, the United States continued to argue that some significant cuts in the staff could be made without impairing efficiency.

Several suggestions of the JIU were not implemented, but a number of specific points concerning management operations were endorsed by the United States and in the Secretary General's comments. UNDRO reportedly has put into effect a number of the recommendations aimed at a more efficient and effective organization.

Aside from attention to UNDRO itself, considerable attention during 1981 centered on the issue of coordination of assistance from the UN system in large-scale emergency situations. Although charged with responsibility for coordinating the assistance of the UN system, UNDRO in fact has attempted to act as an operational coordinator of assistance on few occasions.

During 1981 UNDRO conducted missions to a number of countries including China, Angola, and in the Caribbean region to assess the needs for food and other supplies in the wake of flood, drought, and strife. Such missions were followed by appeals to the UN agencies and bilateral donors. The United States responded to the UNDRO appeal on behalf of China with a donation of 300 tons of concentrated

food supplements distributed to China by UNICEF. UNDRO, however, was not placed in the position of coordinating large amounts of assistance. In those cases where the international community was involved in major assistance efforts, such as Kampuchea, Somalia, and Pakistan, other agencies, namely UNICEF, ICRC, and UNHCR, acted as the "lead agency" of the UN system and coordinated assistance.

Discussion in several forums during 1981, including the Administrative Committee for Coordination, ECOSOC, the Committee on Program Coordination, and the General Assembly, reaffirmed and formalized the need for the lead agency system. Specific procedures and guidelines for implementing the lead agency system were agreed in the ACC, but a number of unresolved questions remain. Although it is probable that the specific circumstances and problems which arise in large-scale emergency situations will make it impossible to develop general guidelines and procedures that will govern the response of the UN system in all cases, work will continue during 1982 in the ACC and other bodies to improve the workings of the lead agency system.

At the summer ECOSOC France introduced a draft resolution, "International efforts to meet humanitarian needs in emergency situations." One provision of the resolution would have provided for a permanent interagency committee in Geneva to consider on a regular basis issues of coordination of emergency assistance. Actively opposing the resolution developing countries viewed the resolution as aimed at reducing the amount of disaster assistance flowing to developing countries or in some manner infringing on the sovereignty of developing countries, and certain UN agencies, which saw the resolution as providing for coordination mechanisms that would infringe upon their prerogatives. Despite efforts made to approve the resolution, it was not adopted.

In view of the failure of ECOSOC to agree on a suitable resolution, efforts began anew in the Second Committee of the 36th General Assembly. On November 27 Kenya and six other sponsors from developing countries introduced a draft resolution, "Strengthening the capacity of the UN system to respond to natural disasters and other emergencies." The resolution reaffirmed the mandate of UNDRO and noted both the need to acknowledge the sovereignty of disaster-affected countries in relief operations and their primary responsibility for such operations.

The resolution codified the practice of naming a lead agency in large-scale emergencies. It provided for consultations of concerned agencies—including voluntary agencies—in the field under the direction of the UNDP resident coordinator and at headquarters normally under the direction of the UNDRO coordinator when required to deal with disasters of exceptional magnitude. Such

consultations could result in the naming of a lead agency by the Secretary General. In contrast to the summer ECOSOC draft previously mentioned, however, the resolution did not explicitly call for regular consultations on this issue. The Administrative Committee on Coordination was asked to examine the role of the lead agency and participating organizations and to report through ECOSOC to the 37th session of the General Assembly.

Although the U.S. delegation believed that the provisions for coordination should have been stronger than those provided in the final resolution, the delegation worked assiduously with developed and developing country delegations to achieve a result which could be supported. Opposition to the resolution came from the Soviet Union and a number of its East European allies who fought efforts to strengthen the UN system for responding to disasters. A series of Soviet amendments to water down the resolution and strictly limit UNDR0 to natural disasters was defeated in the Second Committee.

The draft resolution was approved in Committee on December 11 by a recorded vote of 109 (U.S.) to 11, with 5 abstentions. Speaking in explanation of vote the U.S. Representative, Robert Zimmerman, said that his delegation commended the efforts of the countries belonging to the Group of 77 which had taken the initiative to overcome the deadlock that had developed in the ECOSOC and thereby assisted in developing a resolution that would be a step toward swift and efficient delivery of emergency assistance whenever and wherever it was needed. He went on to say that the U.S. delegation remained concerned that some of the changes made to the original resolution could prove an obstacle to the swift and effective response so often needed in emergency situations. It was felt, however, that those operative paragraphs of the resolution requesting the Secretary General to designate a lead agency and also to report on the deliberations of the Advisory Committee to the 37th General Assembly provided further review of the UN system in delivering disaster assistance. These reports should provide guidance to further improvements warranting implementation. For all these reasons, and to retain the spirit of compromise and cooperation, the U.S. delegation had supported the draft resolution.

On December 17 the plenary Assembly adopted the resolution by a vote of 128 (U.S.) to 9, with 6 abstentions. (Resolution 36/225.)

UN High Commissioner for Refugees

The Office of the UN High Commissioner for Refugees (UNHCR) was organized in 1951 and has as its primary function the responsibility for providing international legal protection to refugees. Its secondary function is to promote permanent solutions for refugee

problems, mainly through resettlement programs, and to provide for interim and emergency care for refugees in places of temporary asylum. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. In general, the Statute applies to those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the government of that country. From time to time, the UNHCR undertakes special activities outside his mandate at the request of the Secretary General, often to assist persons dislocated within their own country as a consequence of manmade disasters. Poul Hartling, formerly Prime Minister of Denmark, was elected High Commissioner at the UN General Assembly in December 1977.

The Executive Committee of 40 states¹⁶ meets annually in Geneva to review the work of the UNHCR and approve the regular budget. At this meeting the UNHCR also advises the Executive Committee on any special activities. The U.S. Representative at the 32nd session, held in October 1981, was Ambassador Gerald B. Helman.

INTERNATIONAL LEGAL PROTECTION

The basic legal implements for protection are the 1951 Convention Relating to the Status of Refugees, which is restricted to persons who became refugees as a result of events occurring before 1951, and the 1967 Protocol, which removes the time limit on eligibility. At present, 84 states have become parties to one or both of the treaties. The United States is a party to the Protocol. However, a large geographic area of the world—most of Eastern Europe and mainland Asia—subscribes to neither. States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his or her life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he or she finds himself/herself and is required to conform to its laws and regulations as well as to the measures taken for the maintenance of public order.

The international protection of refugees includes ensuring that they are granted political asylum and that those who wish to return

¹⁶ The Executive Committee in 1981 was composed of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Sudan, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.

voluntarily to their country of origin may do so without penalty for having fled. To facilitate the reestablishment of refugees around the world, the UNHCR also is concerned with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law. The task of providing legal protection has continued to increase in intensity as many refugees feel compelled to flee from their countries of origin.

UNHCR PROGRAMS

In 1981 the UNHCR spent almost \$500 million in refugee aid throughout the world. The United States gave about \$139 million, or 28% of UNHCR's budget to assist this effort.

Africa

UNHCR supplied \$161 million in 1981, or about 32% of its budget, to assist more than 2 million African refugees. UNHCR received \$50 million from the United States for this program. The largest African program was in Somalia, where several hundred thousand refugees remained. Here UNHCR spent \$46 million for Somali refugees in 1981. Other large UNHCR programs in Africa were Sudan, \$24 million; Zaire, \$16 million; and Cameroon, \$13 million. UNHCR also issued a \$24.3 million special appeal to assist up to 200,000 refugees and displaced persons who returned to Chad.

Latin America

About 4% of UNHCR's budget, or \$20 million, went for refugees in Latin America during 1981. The United States contributed \$3.5 million of this amount.

UNHCR's program in Latin America grew due to new refugee flows in Central America. As many as 60,000 Salvadorans and 30,000 Nicaraguans have sought refuge in neighboring countries, primarily in Honduras and Costa Rica. UNHCR issued a \$10 million special appeal for refugees in Central America to which the United States contributed about \$2.5 million.

Asia and the Near East

In 1981 UNHCR spent about half of its budget or \$250 million, to assist refugees in Asia and the Near East. Of this amount close to

\$124 million was programed for the care of Indochinese refugees in Southeast Asian countries of first asylum. The United States contributed more than \$35 million to UNHCR in Southeast Asia.

By the end of 1981 258,000 refugees occupied UNHCR-supervised camps, compared with 131,000 in 1980. Arrivals in Southeast Asian countries of first asylum averaged 8,500 per month, a 35% decrease from the previous year. During 1981 about 170,000 refugees were resettled permanently abroad, including some 120,000 in the United States.

UNHCR continued to pursue other solutions to the Indochinese refugee problem, such as voluntary repatriation when possible, and the Orderly Departure Program (ODP) in Vietnam. Small numbers of refugees from Laos were repatriated to their homeland from Thailand under UNHCR's auspices. Meanwhile, the ODP resumed operation after some months of inactivity. Through this program asylum seekers may emigrate legally from Vietnam. During 1981, 2,200 Vietnamese took advantage of the ODP to rejoin relatives in the United States, and another 6,300 went to other countries.

In Pakistan UNHCR provided \$105 million to help Afghan refugees. By the end of 1981 Pakistan had registered 2.3 million Afghan refugees, an increase of 66% during the year. This is the largest concentration of refugees in the world. During 1981 UNHCR issued Special Appeals for contributions and received almost \$34 million from the United States for this program.

Europe

During 1981 UNHCR provided \$23 million or about 5% of its budget to assist refugees in Europe. Close to \$14 million of this amount was used in Cyprus to assist persons displaced in 1974. This program was supported and financed principally by the United States. Funds were programed by UNHCR elsewhere in Europe mainly to help care for refugees pending repatriation or resettlement, and to assist those in transit.

Cooperation to Avert New Flows of Refugees

During the 35th General Assembly (1980), at the initiative of the Federal Republic of Germany (FRG), an item on "International Cooperation to Avert New Flows of Refugees" was added to the agenda and assigned to the Special Political Committee. The FRG sought support for an eventual agreement among UN member governments on principles to govern state-to-state behavior in situations involving large-scale flows of refugees. Lacking sufficient

support for a strong statement, the FRG settled for a resolution (35/124) inviting member governments to submit to the Secretary General their comments and suggestions on international cooperation to avert new flows of refugees and requesting the Secretary General to report on those submissions to the 36th General Assembly. The United States was among the cosponsors of resolution 35/124.

In its reply to the Secretary General's subsequent request for views, the United States set out ten obligations of states:

- (1) to permit persons within their borders freely to leave their territory;
- (2) to permit nationals of a country to return to that country;
- (3) to avoid policies and practices that would cause significant elements of the population to flee to other countries—refraining from political, economic, or social discrimination against elements of the population within a country on the basis of ethnic, religious, racial, linguistic, or economic characteristics; and refraining from arbitrary and forced expulsions of persons from a country;
- (4) to respect the territorial integrity of other states;
- (5) to settle disputes between and among states by peaceful means;
- (6) to respect the immigration laws, relating to entry, of other states; specifically, no state should instigate flows of refugees from its territory into that of another state against the will of the receiving state;
- (7) to refrain from use of refugee flows to cause instability or other harm to other states;
- (8) to cooperate with Governments of receiving states at their request, so that movement of persons across borders is orderly and non-disruptive.

The U.S. paper recommended that an existing UN entity be given the task of monitoring compliance with states with the above obligations, identifying and monitoring situations that threatened to result in refugee flows, making appropriate investigations, and alerting the UN membership to situations requiring action by the Security Council, General Assembly, or other UN element. The United States further recommended a mandate from the General Assembly setting forth the principles of state-to-state behavior including but not necessarily limited to the obligations set out above.

On November 27 Senegal introduced a draft resolution subsequently sponsored by 37 other countries including the United States and the Federal Republic of Germany. The draft resolution, as orally revised, was approved without a vote on November 30 and

recommended to the plenary Assembly for adoption. Among other things, the draft emphasized the right of refugees to return to their homes in their homelands and reaffirms the right, as contained in previous resolutions, of those who do not wish to return to receive adequate compensation, and decided to establish a Group of Governmental Experts to Develop Recommendations on Appropriate Means of International Cooperation to Avert New Flows of Refugees, their expenses to be borne by each nominating state. The Group of Experts should undertake, as soon as possible, in the light of existing international instruments, norms, and principles, a comprehensive review of the problem in all its aspects, and to develop recommendations of international cooperation.

The draft resolution was adopted in the plenary Assembly by consensus on December 11. (Resolution 36/124.)

Speaking in explanation of vote, the U.S. Representative, Ambassador Adelman, said the United States had been pleased to be a sponsor of and join in the consensus to adopt the resolution. He went on to say that his delegation noted with satisfaction that the resolution reaffirmed the inviolability of the provisions of the Charter and the Universal Declaration of Human Rights and other relevant international instruments with regard to the responsibilities of states to manage their affairs so that they do not themselves cause massive flows of refugees from among their own people. He asserted that acts of aggression, foreign intervention, military occupation, and internal policies of repression were the principal causes of refugee flows. He gave as examples the 2 million refugees who have fled Afghanistan because of the "unprovoked and illegal invasion . . . by armed forces of the Soviet Union," Vietnamese aggression in Kampuchea, and the forced outflow of "boat people" from Vietnam. He said that it was the hope of his Government that the Group of Experts would develop a set of principles for state-to-state relations regarding refugee flows and include among them the principles set forth in the U.S. paper submitted in reply to the Secretary General's request.

Crime Prevention and Control

Although the Committee on Crime Prevention and Control—which will next meet in 1982—held no meeting in 1981, the General Assembly considered two resolutions dealing with crime prevention and criminal justice and developments which emerged from resolution 35/171 calling for consideration of crime prevention issues on the agenda of the General Assembly's 36th session.

On October 22 two draft resolutions were introduced in the Third Committee and both were adopted on November 9 by the plenary

Assembly. The first, "Crime prevention and criminal justice," was introduced by Venezuela and ultimately sponsored by 29 countries. The draft, the United States had difficulty with because it emphasized crime in the context of socio-economic development and underscored the significance of the new international economic order in what seemed to be an artificial elaboration. The most significant preambular section, for example, referred to the Declaration and Program of Action on the Establishment of a New International Economic Order as one of the "principal guarantees for the creation of better conditions for all peoples to reach a life worthy of human dignity." In its operative paragraphs the resolution reaffirmed that crime prevention and criminal justice should be considered in the context of economic development, political, social, and cultural systems, as well as in the context of the new international economic order. This resolution was approved in the Third Committee by a vote of 136 to 0, with 1 (U.S.) abstention and approved in the plenary Assembly by a recorded vote of 135 to 0, with 1 (U.S.) abstention. (Resolution 36/21.)

Belgium, joined by 13 others, introduced a second draft dealing with "arbitrary or summary execution." This draft endorsed the need to ensure careful legal procedures and the greatest possible safeguards for the accused in capital cases where the death penalty obtains. It also condemned summary and arbitrated execution and expressed concern over those politically motivated. The draft also requested the Committee on Crime Prevention and Control to examine the problem of arbitrary and summary executions at its next session. The draft was approved in the Third Committee and by the General Assembly by consensus in both bodies. (Resolution 36/22.)

Social Development

The 27th biennial session of the ECOSOC Commission for Social Development was held February 9-19, 1981, in Vienna. The Commission,¹⁷ established in 1946, is of importance to the United States as the principal UN body dealing solely with social issues and dedicated to a unified approach to social and economic development.

The Commission is composed of representatives who, for the most part, are experts in the field of social development. For this reason, the Council usually is able to maintain a focus on social problems and avoid polemical political issues. The 27th session was no

¹⁷ Members in 1981 were Bolivia, Chad, Chile, Costa Rica, Cyprus, El Salvador, France, India, Indonesia, Italy, Kenya, Lesotho, Madagascar, Mongolia, Morocco, Netherlands, Nicaragua, Norway, Panama, Philippines, Poland, Romania, Senegal, Sudan, Sweden, Thailand, Togo, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, and United States.

exception, despite frequent calls from the Soviet delegation to divert expenditures from armaments to social development, and a plea from the Philippine delegate to withdraw military forces from occupied territories. References to the Charter of the Economic Rights and Duties of States and the new international economic order were few.

The United States, as well as others, was concerned by the Secretariat's lack of preparation for the session. One of the most important documents for the Commission, the medium-term plan for 1984-89, was distributed as a 70-page conference-room paper well after the session opened, and was available only in English. No paper at all was available on the International Year of Disabled Persons, despite the fact that the Year then was being celebrated. Much confusion surrounded the report of the Committee on Crime Prevention and Control, exacerbated by the Secretariat's inability to explain why the report had been made available to so few of the representatives prior to the meeting, and what action the Commission was to take vis-a-vis the report.

A broad range of topics was covered during the session and the Commission arrived at all of its decisions by consensus, often after extensive negotiation. Among them was a resolution introduced by the United States on behalf of three other states. It concerned the World Assembly on the Aging and, *inter alia*, appealed to member states to consider making contributions to the voluntary fund for the World Assembly, and requested the Secretary General, in designing the program budget for 1982-83, to take into account decisions adopted at the World Assembly aimed at improving the well-being of the aged.

The review and appraisal of social progress, preparations for a new development strategy, the position of disabled persons, and the mobilization of national resources for the purposes of social progress and development were all discussed and acted upon.

The report of the Ad Hoc Working Group on the Social Aspects of the United Nations was discussed. The United States was disappointed by the quality of the report and its presentation of 88 recommendations, with no priority assigned to them.

The Economic and Social Council, by virtue of decision 1981/176, and the plenary Assembly in resolution 36/159 invited the 1st regular ECOSOC session of 1982 to give due consideration to the implementation of measures to improve the work of the Council as suggested in the report of the Ad Hoc Group and requested the Secretary General to submit to the 37th General Assembly a report on the implementation of the decisions relevant to those ECOSOC recommendations.

WORLD ASSEMBLY ON AGING

Preparation for the World Assembly on Aging (WAA), which will take place July 26-August 6, 1982, in Vienna, continued during 1981.

Resolution 35/129 had, among other things, requested the Secretary General to establish a voluntary fund to help defray the expenses of the World Assembly; adopted the recommendations of an ECOSOC resolution including the designation by the Secretary General of a Secretary General for the WAA from outside the United Nations; and the establishment of an Advisory Committee for the Assembly.¹⁸

On November 5, 1980, the United States had presented a check for \$250,000 for the WAA, and in October 1981, had pledged an additional \$400,000, thus bringing the total U.S. contribution to \$650,000. Mr. William Kerrigan of the United States was named Secretary General of the WAA, effective June 1, 1981.

An Advisory Committee was appointed and convened for its first meeting August 17–21, 1981, in Vienna. It adopted a number of procedural recommendations including one that the Advisory Committee meet in two additional sessions to ensure adequate preparation for the WAA.

The Economic and Social Commission for Asia and the Pacific (ESCAP) convened a regional preparatory meeting for the WAA October 19–23, 1981, in Manila. The conferees adopted a plan of action for the ESCAP region on aging, which included 34 recommendations directed toward national action. The other UN regional economic and social organizations will hold preparatory meetings in 1982.

On October 22 two draft resolutions were introduced into the Third Committee. The first, introduced by Malta, and sponsored by 24 other countries was entitled "Question of the elderly and the aged." The resolution exhorted governments to devote attention to the question of aging and to support the WAA; requested the Secretary General to use the Trust Fund for the WAA to encourage further interest in the field; and also requested the Secretary General to report to the 37th General Assembly on the status of the Trust Fund and also on the activities financed by the Fund. The resolution also invited the UN Fund for Population Activities to continue to provide financial support in the field of the aging. (Resolution 36/20.)

The second resolution "World Assembly on Aging" was introduced by the United States, joined by six other sponsors. The resolution underscored the importance of the WAA in addressing the broad spectrum of questions concerning aging. It also expressed appreciation to the Government of Austria for offering to host the Assembly, and confirmed that it would be held July 26–August 6, 1982, in Vienna. The resolution also approved, subject to financial limitations, the holding of three simultaneous meetings during the WAA—a plenary and two committees of the whole. Pursuant to the recommendation of the Advisory Committee, it also called for the convening of two more sessions of that Committee. (Resolution 36/30.)

¹⁸ The United States is a member of the Advisory Committee.

In introducing the latter resolution in the Third Committee, the U.S. Representative, Benjamin Gilman, pointed out that since 1981, when the first White House Conference on Aging had been held, the United States had recognized the need to cope with the problems of that age group. His delegation was aware that the problem was not confined to the United States and that international cooperation was needed in the search for solutions. Accordingly, the United States had contributed generously to the Trust Fund and hoped other countries would do the same.

Each of the resolutions was adopted by consensus in the plenary Assembly, 36/20 on November 9 and 36/30 November 13.

INTERNATIONAL YEAR OF DISABLED PERSONS

The General Assembly, in its resolution 31/123 of December 16, 1976, proclaimed the year 1981 the International Year of Disabled Persons (IYDP). Hence, 1981, the International Year of Disabled Persons was widely acclaimed a success in raising the awareness of the problems of the disabled and acknowledging the contributions the disabled can make to society. Most activity was at the national level, but certain developments occurred in various forums of the UN system.

The 3rd session of the Advisory Committee for IYDP met August 3-12, 1981, in Vienna. The Committee produced a number of recommendations calling on the UN system and member countries to continue their activities to advance the interests of the world's disabled even after the formal conclusion of IYDP. The Committee also approved a draft world program of action for disabled persons designed to go into effect on January 1, 1983. The draft proposed broad measures for the benefit of the disabled and addressed questions of prevention, rehabilitation, equalization of opportunities, education, and research. The draft has been circulated for comment to member states. It is assumed that it will be adopted by a 4th session of the Advisory Committee in July 1982, and then submitted to the 37th General Assembly for formal approval in 1982.

In accordance with General Assembly resolution 34/154 of December 17, 1979, the World Symposium of Experts on Technical Cooperation among Developing Countries and Technical Assistance in Disability Prevention and Rehabilitation was organized by the UN Secretariat in cooperation with the UN Development Program. The participation of disabled persons was facilitated by the generous assistance of the Government of Austria. The Symposium was held October 12-23, 1981, at the Vienna International Center.

Fifty-one expert participants from all regions of the world, who were invited in their individual capacities, and 126 observers representing 41 member states attended the meeting, as well as a number of international governmental and non-governmental organizations.

This group developed a proposal entitled the "Vienna Affirmative Action Plan." The plan contains a series of specific recommendations covering such matters as disability prevention, rural strategy, technical aids and equipment, and technical cooperation.

On December 8 the General Assembly adopted without a vote a resolution entitled "International Year of Disabled Persons." The resolution had been recommended by the Third Committee where it had been approved, also without a vote. (Resolution 36/77.)

Introduced by Libya and sponsored by 43 countries, the draft resolution, *inter alia*, noted the important contributions of the IYDP; requested the Advisory Committee to consider at its 4th session the advisability of proclaiming the period 1983-1992 as the UN Decade of Disabled Persons and report thereon to the 37th General Assembly; and invited member states to promote close and effective cooperation between developed and developing countries through a transfer of technology and of the results of research and exchanges of information on the prevention of disability and the rehabilitation of disabled persons.

The U.S. Representative, Mr. Gilman, speaking in the Third Committee, said that his country had been a sponsor of the resolution that proclaimed 1981 the International Year of Disabled Persons. Moreover, the United States had demonstrated its enthusiasm and interest by carrying out 400 Federal projects and organizing 1,800 community groups throughout the country with a view to attaining the objectives of the year. He would join in accepting the draft resolution without a vote, but pointed out that the United States was accepting the operative paragraph pertaining to the transfer of technology, the results of research, and exchanges of information on the understanding it did not entail any expression of the technical cooperation activities financed from the regular budget.

YOUTH

The 34th General Assembly designated 1985 as International Youth Year: Participation, Development, Peace and decided to establish an Advisory Committee of 23 states. (Resolution 34/151.) Subsequently, the General Assembly at its 35th session decided to expand the Advisory Committee to 24 states.¹⁹ (Decision 35/118.)

The Advisory Committee held its first meeting March 30-April 7, 1981, in Vienna. The Committee adopted a report which included a "Specific Program of Measures and Activities To Be Undertaken

¹⁹ Members of the Advisory Committee in 1981 were Algeria, Chile, Costa Rica, Democratic Yemen, Federal Republic of Germany, Guatemala, Guinea, Indonesia, Ireland, Jamaica, Japan, Lebanon, Morocco, Mozambique, Netherlands, Nigeria, Norway, Poland, Romania, Rwanda, Sri Lanka, U.S.S.R., United States, and Venezuela.

Prior to and During the International Youth Year." The program stated that, "The primary focus of the International Youth Year will be on activities at the national and local level," and suggested the basic approach to the International Youth Year should be through national coordinating committees. The program also suggested basic themes and proposed guidelines for action at the national, regional, and international levels. Finally, it noted that "Youth non-governmental organizations have an important role to play," and suggested that governments encourage them to play an active role.

The Third Committee of the 36th General Assembly considered the question related to youth under two agenda items—"International Youth Year: Participation, Development, Peace," and "Policies and programs relating to youth." Two draft resolutions were introduced on October 22 under the first agenda item. The first, introduced by Romania and ultimately sponsored by 82 countries, *inter alia*, endorsed the program of activities for the International Youth Year proposed by the Advisory Committee; invited the Advisory Committee to pay particular attention to the implementation of the program and, to this end, to submit recommendations to the General Assembly; and appealed to all to make generous voluntary contributions to supplement the regular UN budget for the costs of the International Youth Year.

The resolution was approved by consensus and adopted, also by consensus, in the plenary Assembly. (Resolution 36/28.) After the vote in the plenary, the U.S. Representative, Mr. Gilman, in his explanation of vote said that it had been the U.S. delegation's initial understanding that the Secretary General would take all the necessary steps to absorb the costs of the activities of the Youth Year within available resources. However, the Fifth Committee report on the financial implications advised that additional funds beyond those requested in the proposed program budget for the biennium 1982-83 would be required. The United States was keenly concerned that the integrity of the Secretary General's effort to achieve a zero real-growth budget for the next biennium should be maintained. Therefore, had there been a vote on the resolution, the United States would have abstained in spite of its general support of its purposes.

The second draft resolution under the same agenda item was entitled "Efforts and measures for securing the implementation and the enjoyment by youth of human rights, particularly the rights to education and to work." Introduced by Czechoslovakia and sponsored subsequently by 21 countries, the resolution called upon member states and UN bodies to take action to promote human rights of youth, particularly education, vocational training, and work. The draft resolution was approved in Committee by a recorded vote of 129 to 0, with 11 (U.S.) abstentions, and in the General Assembly by a recorded vote of 136 to 0, with 5 (U.S.) abstentions. (Resolution 36/29.)

Under the second agenda item two draft resolutions also were introduced. The first "Physical education and sports exchanges among young people" was introduced by Argentina and sponsored by 17 member states. It called upon members to develop sports activities to reach all sectors of the population, especially young people who are not in school and rural populations. The draft was approved in Committee and adopted in the plenary Assembly by consensus. (Resolution 36/16.)

The second, introduced by Egypt and sponsored by 40 countries, was entitled "Channels of communication between the United Nations and youth and youth organizations." The draft, *inter alia*, adopted guidelines for the improvement of the channels of communications on the national, regional, and international levels, and recommended implementation by member states and others of the guidelines in cooperation with youth organizations. The draft was approved without a vote in Committee and adopted by the plenary Assembly, also without a vote, on November 13. (Resolution 36/17.)

SCIENCE, TECHNOLOGY, AND RESEARCH

UN Environment Program

In response to a recommendation by the Conference on the Human Environment in Stockholm, June 1972, of which the United States was a principal proponent, and pursuant to a General Assembly resolution of December 1972, the UN Environment Program (UNEP) was established on January 1, 1973, in Nairobi, Kenya, to provide a focal point in the UN system for dealing with global environmental problems. It is primarily a catalytic and coordinating program utilizing a voluntarily financed Environment Fund to provide seed money to launch or support programs designed to fill gaps or improve performance in environmental programs carried out principally by other elements of the UN system. The United States has attached particular importance to UNEP's promotion of Earth Watch and the Global Environmental Monitoring System; to the development of an International Register of Potentially Toxic Chemicals; regional seas programs designed to provide a coordinated and comprehensive attack on marine pollution problems; and development of international conservation agreements. A 58-member Governing Council provides policy and general guidance to the program.²⁰

²⁰ Members in 1981 were Argentina, Australia, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Burundi, Byelorussian S.S.R., Chile, China, Egypt, Ethiopia, France, Gabon, German Democratic Republic, Federal Republic of Germany, Ghana, Guinea, Haiti, Iceland, India, Indonesia, Iraq, Italy, Japan, Kenya, Kuwait, Liberia, Libya, Malawi, Malaysia, Mauritania, Mexico, Netherlands, New Zealand, Pakistan, Panama, Peru, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Trinidad and Tobago, Turkey, Uganda, Ukrainian S.S.R., U.S.S.R., United Arab Emirates, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

UNEP GOVERNING COUNCIL

The Governing Council held its 9th session May 13–26, 1981, at UNEP Headquarters in Nairobi. Delegations and observers from 83 UN member countries, as well as representatives of UN agencies, attended the meeting.

In his introductory statement at the opening meeting, UNEP Executive Director, Mostafa Kamal Tolba (Egypt) outlined major developments in the UN system related to the problems of environment, developments in the world community since the Council's 8th session, arrangements for the Governing Council session of a special character, and the difficulties UNEP has faced and it is likely to face during the second decade of its existence.

The General Assembly had adopted the International Development Strategy (IDS) for the Third UN Development Decade, which took due account of environmental considerations. The IDS recognized the importance of sustainable and environmentally benign economic development, with particular emphasis on increased food production and energy use. The General Assembly called for research on the relationships among people, resources, environment, and development, on which proposals were before the Council.

Environment would be a significant issue at the Third UN Conference on the Law of the Sea, the Conference on New and Renewable Sources of Energy, and the Conference on Least Developed Countries, all to be resumed or held in the near future. The UNEP Executive Director hoped that the Council's discussion would clarify positions to be taken at those conferences, and assured the members that the UNEP secretariat could be counted on to make an appropriate contribution.

At the present session the Governing Council was to launch the process of preparation for the 10th anniversary in 1982 of the UN Conference on Human Environment. The session of special character would combine the twin strands of recounting achievements to date and looking ahead to the end of the century and beyond. A review of major achievements in the implementation of the Stockholm Action Plan, together with a report on the state of the environment 10 years after Stockholm and a review of UNEP's goals for 1982, would serve as a basis for consideration of what had happened to the environment over the past decade. Those documents in turn would lead into the forward-looking papers: the perspective document, trends for action by UNEP over the next decade, and the system-wide medium-term environment program (SWMTEP) for 1984–89. The Secretariat planned to build into the process of preparation interlinkages and as much scope for mutual influence between the two strands as possible. It had endeavored to devise a common timetable for the preparations together with governments, the scientific community,

members of the UN system, and other intergovernmental and non-governmental organizations.

As far as the perspective document was concerned, consultations had shown that the task of defining a long-term agenda for action and setting aspirational goals for the world community should follow the reaching of agreement on shared perceptions, and should draw to a large extent on the views of governments. Consequently, he proposed that only the first part of the perspective document should be prepared for 1982, leaving consideration of the full document for 1984.

During 1981 substantial progress was made on the development of SWMTEP, which, for the first time, will coordinate all UN environment-related activities, putting them on a common data collection basis, which is expected to enhance greatly the effectiveness of such programs.

Other areas of progress during the period following the 1980 Governing Council included the Regional Seas Program, generally regarded as one of UNEP's greatest successes. The signatories of the Kuwait Action Plan for controlling pollution in the Gulf area had launched their own regional organization, and by the end of 1981 UNEP was to relinquish responsibility for supervising the Kuwait Action Plan's secretariat or administering its trust fund. This illustrates UNEP's catalytic role in environmental matters. Also in the Regional Seas Program, an Action Plan for the Caribbean was adopted in April 1981.

Executive Director Tolba concluded by saying that the coming 4 years, for which he had been accorded the privilege and honor of being reelected as Executive Director, would be a period of great challenge for the environment and for UNEP. For much of mankind accelerated economic development was imperative, and in that process the relevance of the environment had been recognized. In the environmental cause a new policy of cooperation would permit a shift from the waste of resources and the protection of privilege to a world whose most precious resource, the cooperation of people and nations, was conserved and nurtured to serve the common good and preserve the rights of future generations. Failure would represent a waste of will and resources, and ultimately of the future.

Significant progress also was made on the International Register of Potentially Toxic Chemicals (IRPTC), which makes available information about environmentally hazardous chemicals. This program, of particular interest to the United States, now is being used by many developing countries. The INFOTERRA system of national environmental focal points also is being used increasingly by countries for the development of substantive environmental information. In a UNEP-related area the UN General Assembly as well as the Commission on Transnational Corporations (CTC) considered the

subject of the exchange of information on banned hazardous chemicals and unsafe pharmaceuticals. The CTC considered a report from the Center for Transnational Corporations, which discussed the role the Center could play in expanding the exchange of information on hazardous substances. This proposed role was rejected, however, as too expensive and difficult, and the Commission agreed only to ask the Center to play an appropriate supplementary role with other UN bodies, such as the IRPTC.

During the year UNEP sponsored a number of experts' meetings and seminars on, among other things, ozone layer preparations and environmental monitoring.

During the past year the United States and other major donors continued to resist the Swedish proposal for adopting a "special window" of contributions for programs in developing countries. UNEP is continuing to experience significant problems with the relative expansion of contributions held in non-convertible currencies, which cause increased administrative costs.

In 1981 total contributions to the Environment Fund neared \$31,000,000, of which the United States contributed \$9,981,000 of a pledge of \$10,000,000; the withheld difference of \$19,000 represents the U.S. share of funds that UNEP allocated as assistance to Cuba for harbor facilities in Havana, in violation of U.S. guidelines. In 1982 the Governing Council will consider proposals for placing contributions to the Environment Fund on a biennial basis.

ECOSOC AND GENERAL ASSEMBLY CONSIDERATION

ECOSOC's 2nd regular session of 1981 adopted a resolution that took note of the report of the 9th session of UNEP's Governing Council. Among other things, the resolution endorsed, in principle, as recommended by the Governing Council of the United Nations Environment Program the proposals made by the high-level group of experts with regard to the program of work on the interrelationships among people, environment, resources, and development, as well as the important role which UNEP should assume in this regard consistent with its mandate. It invited the General Assembly to give favorable consideration to the draft resolution on the session of special character of the Governing Council of UNEP in 1982—proposed in decision 9/2 of May 26, 1981, of the Governing Council—and agreed to consider the report of the Governing Council of UNEP on additional resources for serious environmental problems in developing countries at its 2nd regular session of 1982. (Resolution 1981/73.)

The 36th General Assembly considered the question of environment in the Second Committee at six meetings between October 27 and December 7. The Committee considered and approved five

resolutions. One resolution, "Problems of remnants of war," was adopted by the plenary Assembly on December 17, by a vote of 115 to 0, with 29 (U.S.) abstentions. The other four were adopted by the plenary on the same day, without a vote.

The first resolution (1) regretted that no real action had been taken to solve the problems of the remnants of war; (2) reiterated its support for the demand of states affected by the implantation of mines on their land for compensation for the losses incurred from the states which implanted them; (3) appealed to states responsible for the presence of remnants of war in developing countries to cooperate with the Secretary General to enable him to make specific recommendations for solving the problem; and (4) requested the Secretary General to consult with states to find ways, including the possibility of convening a conference, for solving the problems of remnants of war and report on the matter to the 37th General Assembly. (Resolution 36/188.)

The second resolution provided for a special session of the Governing Council to be held May 10-18, 1982, in Nairobi. It approved the draft agenda annexed to the resolution; decided on the Rules of Procedure; reiterated its invitation to governments to prepare thoroughly for the session and send its ministers dealing with environment; and decided also that the resolution should be implemented with due regard for the need for economy in preparation for the session. (Resolution 36/189.)

The third resolution, "Implementation in the Sudano-Sahelian Region of the Plan of Action to Combat Desertification," among other provisions, (1) noted the addition of Benin to the list of countries to be assisted by the UN Sudano-Sahelian office, (2) commended the UNEP Executive Director and UNDP Administrator for their coordination in developing the joint venture through the instrumentality of the office, and (3) requested the UNEP Governing Council to continue to report annually through ECOSOC to the General Assembly on the implementation of the Plan of Action to Combat Desertification. (Resolution 36/190.)

The fourth resolution concerned the financing of the Plan of Action and among other things, (1) took note of the feasibility studies and modalities for financing the Plan of Action prepared by a high-level group of specialists in international financing; (2) requested the Secretary General to obtain the views of member states on the feasibility studies and modalities; and (3) requested the Secretary General, in cooperation with the UNEP Executive Director, to obtain views of member states on the establishment of an independent corporation for the financing of desertification-control projects and to ascertain the views of governments as to their financial participation. (Resolution 36/191.)

The final resolution dealt with international cooperation in the field of environment. *Inter alia*, it (1) took note of the efforts of

UNEP with regard to the implementation of the International Development Strategy for the Third UN Development Decade; (2) expressed appreciation for the continued efforts made by UNEP, in cooperation with the entire UN system, in the development of the System-Wide Medium-Term Environment Program; (3) stressed the importance attached to the development of the Environmental Perspective to the year 2000; (4) reaffirmed the catalytic mandate and role of UNEP; and (5) appealed to all governments to increase substantially their contributions to the Fund of the UNEP. (Resolution 36/192.)

Human Settlements

The United States participated in the fourth session of the Commission on Human Settlements, which met April 27–May 6, 1981, in Manila. The Commission provides policy guidance to the Center for Human Settlements (Habitat), located in Nairobi, Kenya. Participating at the session as members or observers were 75 countries, 47 of which were members of the Commission. In addition representatives of 4 regional economic commissions and 11 UN bodies or specialized agencies also participated. Non-governmental organizations present as observers numbered 18.

At the fourth session of the Commission, 15 resolutions were adopted, of which all but one were approved by consensus. Among the major resolutions were two sponsored by the United States. The first called upon the Executive Director of the Center for Human Settlements to explore the possibility of extending assistance to the Government of Dominica so as to replace lost and damaged human settlements speedily, and to consult with other organs of the UN system on the matter of assistance to Dominica.

The second U.S. sponsored resolution requested the Executive Director, in consultation with the UNEP Executive Director, to review the demands placed on budgetary resources in connection with the preparation and servicing of the joint bureau meetings, and to study ways and means of strengthening their cooperation with a view to making it more effective. At the Commission meeting a number of governments expressed concern over the cost effectiveness of the joint bureau meetings, which are held annually in Nairobi.

Although a number of countries, including the United States, expressed the view that a politically motivated resolution was not appropriate to the Commission's work, a resolution deploring apartheid in South Africa was adopted. In addition to the United States, the Netherlands (for the EC), France (for the Group of Five), and Canada commented following adoption of the resolution that because of its political nature it was not a proper subject for consideration by the Commission. The resolution called attention to the deplorable

conditions caused by apartheid in South Africa; condemned the South African Government for repression in South Africa and illegal occupation of Namibia; and called on the Executive Director of the Center for Human Settlements to intensify human settlements training aid for national liberation movements recognized by the Organization of African Unity to make victims of apartheid self-reliant, and to provide additional aid to countries disrupted by South Africa.

Prime Minister Premasada of Sri Lanka introduced a proposal that the Commission recommend to the General Assembly the designation of 1986 as the International Year of Shelter for the Homeless. This was a further manifestation of his country's interest in the problem. Resolution 35/76, which had been introduced by Sri Lanka in the General Assembly the previous year, had as one of its provisions that the Executive Director of the Center for Human Settlements report to ECOSOC on the implications of declaring an international year to focus attention on the slum and shanty dweller.

During discussion of the proposal U.S. efforts were aimed at ensuring that any such year would be proclaimed in accordance with guidelines adopted by ECOSOC and the General Assembly on international years and decades. (Decision 35/424.) The resolution was adopted and recommended to the General Assembly and, *inter alia*, appealed to all states, to intergovernmental and non-governmental organizations, and to the public at large to make generous voluntary contributions in support of the program of the International Year of Shelter for the Homeless.

A resolution proposing a Manila Declaration on Human Settlements was introduced by the Philippines. The resolution, *inter alia*, reaffirmed that in accordance with the spirit of Habitat, human settlements is an effective approach to development, and called upon governments and international organizations concerned to join, as appropriate, in a comprehensive and effective human settlements movement designed to bring about the full development of man, as a tangible demonstration of the spirit of cooperation and understanding that had animated the present session. It also was recommended at this time that the Chairman of the 4th session, Mrs. Imelda Marcos, address the 36th General Assembly when the Commission report was presented there.

The United States voted against the resolution, "Assistance to the Palestinian people," which deplored the "obstacles and difficulties set up by the occupying authorities in Palestine, hindering the implementation of the General Assembly resolutions concerning assistance to Palestinian people." The vote was 17 to 1 (U.S.), with 14 abstentions. The U.S. Representative, William Miner, explained the U.S. vote by noting that his Government supported appropriate international assistance to the Palestinian people and contributed to

such aid in a number of ways. The resolution, however, incorporated reference to ECOSOC resolutions that provided that such assistance be channeled through the Palestine Liberation Organization (PLO). Such procedure was accepted by the United States neither in principle nor in practice.

The Commission recommended that the Executive Director of the Center, in close cooperation with the ECA Executive Secretary, harmonize their work programs in the field with regard to manpower, training, public participation at the grass-roots level, and other spheres concerning human settlements. The Commission also considered strengthening of the human settlements unit of ECA at Addis Ababa, and urged the Center and the regional commissions to continue to strengthen their ties. It also urged governments and the UN system to support and assist national and international endeavors to diminish or eliminate barriers in human settlements that prevent the full participation of the disabled in social development. The establishment of a unified information service within the Center was noted. The Executive Director of the Center was requested to intensify his efforts to promote the use of consultants and experts from developing countries and also to give preference to qualified indigenous personnel in recruitment of project personnel. The role and contribution of the construction industry in human settlement programs and national economic and social development was discussed, and it was recommended that governments formulate policies for the development and support of the construction sector on the basis of the development and mobilization of indigenous resources in terms of technology, labor, and building materials. Finally, the Commission called upon the Executive Director to conduct a feasibility study, in connection with the Asian Development Bank, on the creation of an Asian bank dealing with human settlements.

GENERAL ASSEMBLY CONSIDERATION

The General Assembly adopted four resolutions relative to Human Settlements under the agenda item "Development and International Economic Cooperation." The Second Committee considered and approved the resolution at eight meetings between October 15 and November 20.

The first resolution, introduced by Pakistan, and subsequently sponsored by 39 countries, was entitled "Assistance to the Palestinian people." The draft resolution, *inter alia*, urged the relevant organizations, organs, and programs of the UN system to take the necessary steps in consultation and cooperation with the PLO, "the representative of the Palestinian people," for the full implementation of resolutions of the General Assembly and the Economic and Social Council on assistance to the Palestinian people, and requested

that UN assistance to the Palestinian people in the Arab host countries be rendered through the specialized agencies, programs, organs, and other bodies of the UN system in consultation with the parties concerned and in accordance with the relevant resolutions of the General Assembly and ECOSOC. The resolution was approved in Committee by a recorded vote of 112 to 2 (Israel, U.S.), with 21 abstentions. The resolution was adopted in the plenary Assembly on December 4 by a non-recorded vote of 99 to 2, with 18 abstentions. (Resolution 36/70.)

Speaking in explanation of vote in Committee, the U.S. Representative, William Falkner, said that his delegation had voted against the draft resolution, because it rejected the introduction of political elements that were alien to the economic and humanitarian concerns of the Second Committee.

The second resolution to be approved by recorded vote was entitled "Living conditions of the Palestinian people" and was introduced by Jordan on November 6 and ultimately sponsored by 43 countries. The draft resolution, among other things, condemned Israel for the deterioration of living conditions of the Palestinian people in the occupied territories and, recognizing the need for a comprehensive report on these conditions, requested the Secretary General, in consultation with the PLO, to prepare a comprehensive and analytical report on deteriorating conditions for the 37th General Assembly. The draft was approved in Committee by a recorded vote of 92 to 2 (Israel, U.S.), with 26 abstentions. On December 4 the plenary Assembly adopted the resolution by a recorded vote of 109 to 2 (Israel, U.S.), with 25 abstentions. (Resolution 36/73.)

The U.S. Representative, Frank W. Brecher, reiterated the statement made by Mr. Miner in the meeting of the Commission on Human Settlements when he explained the negative vote of the United States on the resolution on assistance to Palestinian people.

The Second Committee approved by consensus two more resolutions, and both were adopted by the General Assembly on December 4, also by consensus.

The first, a draft resolution introduced on October 27 by Algeria on behalf of the Group of 77, was entitled "International Year of Shelter for the Homeless." The draft, *inter alia*, declared 1987 as the International Year of Shelter for the Homeless; designated the Commission on Human Settlements as the UN intergovernmental body responsible for organizing the International Year; and requested the Commission to formulate a specific program to be considered by the 37th General Assembly. (Resolution 36/71.)

The final resolution was introduced by the Philippines on behalf of 15 other countries. The draft was composed of three parts. Part A took note of the report of the Commission on Human Settlements and welcomed resolution 4 of May 6, 1981, entitled "Manila Commu-

nique on Human Settlements Movement." Part B requested the Executive Director of the UN Center for Human Settlements (Habitat) to take appropriate steps for the implementation of those recommendations of the UN Conference on the New and Renewable Sources of Energy within the mandate of the Center. Part C urgently appealed for increased financial support for the work program of the Center. (Resolution 36/72.)

Effects of Atomic Radiation

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR)²¹ was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear-weapons tests, nuclear power plants, and peaceful nuclear explosions), environmental radiation, and medical and occupational exposures.

Under its terms of reference the Committee receives, assembles, and compiles reports and information furnished by its member states, members of the United Nations, the specialized agencies, the IAEA, and non-governmental organizations on observed levels of ionizing radiation and on scientific observations and experiments relevant to the effects of ionizing radiation on man and his environment.

Since its establishment the Committee has prepared and submitted to the UN General Assembly four comprehensive reports on the effects of ionizing radiation. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in 1973 to evaluate the radiological hazards created by the testing activities of one country if asked to do so by a possibly injured neighboring country. To date no such evaluations have been requested.

The 30th session of UNSCEAR met July 6-10, 1981 in Vienna. The U.S. delegation was headed by Dr. Robert D. Moseley, Professor of Radiology at the University of New Mexico. The session was concerned primarily with consideration of draft chapters for the fifth comprehensive report to the United Nations on the effects of ionizing radiation. The 31st session of UNSCEAR is scheduled for March 15-26, 1982, in Vienna, after which the Committee expects to submit its input to the 38th session of the General Assembly in 1983.

The Committee expressed satisfaction with the amount and quality of information received from members, the specialized agencies, and the IAEA. The contribution of such data to the Committee's

²¹ The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and United States.

assessments was invaluable. Provision of new relevant information on doses, effects, and risks of ionizing radiation ensures that future deliberations of the Committee would be founded on the latest scientific and technical knowledge.

The Special Committee considered the report of UNSCEAR to the 36th General Assembly at two meetings, October 13 and 14. On October 13 Poland introduced a draft resolution ultimately sponsored by 29 other states, including the United States. Speaking before the vote on October 14, the U.S. Representative, Ambassador Lichenstein, said that his Government attached great importance to the work of the Scientific Committee and appreciated the fact that the Committee was continuing its activities on the basis of solid scientific data. He felt that the cooperation of the Scientific Committee and the UN Environment Program should be continued in the future. He also hoped that members of the United Nations and bodies of the system would continue to provide the Committee with relevant information. Lastly, he said that his delegation hoped that the draft resolution, of which it was a sponsor, would be adopted by consensus.

The draft was approved without a vote in the Special Political Committee on October 14. The draft, *inter alia*, commended UNSCEAR for the valuable contribution it had been making during the past 26 years and requested member states and others to provide relevant information for review in connection with the comprehensive report under preparation. The plenary Assembly adopted the resolution without a vote on October 28. (Resolution 36/14.)

Natural Resources

UN CONFERENCE ON NEW AND RENEWABLE SOURCES OF ENERGY

In accordance with General Assembly resolutions 33/148, 34/190, and 35/204, a UN Conference on New and Renewable Sources of Energy was held August 10–21, 1981, in Nairobi. Represented at the Conference were 125 states; UN regional commissions, specialized agencies, and bodies; and a large number of intergovernmental and non-governmental organizations.

Unanimous agreement on the need to carry out an effective transition from excessive reliance on fossil fuels to a more diversified mix of energy resources was a most notable achievement of the Conference. It was successful in educating governments and the international community on the current and potential uses of new and renewable sources of energy and the need to initiate action to incorporate these sources into national development strategies.

Stanton D. Anderson, Special Representative of the President and Head of the U.S. delegation, in his statement to the Conference on August 13, emphasized that the energy transition must be viewed as a shared challenge and opportunity for pragmatic cooperation between governments and free enterprise. He pointed out that private industry is playing a major role in the U.S. energy transition through provision of the "financial, managerial, and technological impetus necessary to tap the potential of nonconventional energy sources and thereby alter the country's energy mix."

The Conference adopted by consensus a Program of Action which identified four areas for priority action: assessment of national energy resources and needs on a country basis; research, development, and demonstration of specific technologies; transfer, adaptation, and application of mature technologies; and systematic approaches to increasing information flows and education and training which can be supported and augmented by sub-regional and regional efforts. Special emphasis was placed on the fuelwood crisis in developing countries and measures to reverse the trends of deforestation and desertification, including a five-fold increase in tree planting. The Program of Action recognized the need for individual states to assume prime responsibility for their own energy futures, emphasized the vital role that the private sector can play in this process, and recommended that additional resources to finance new and renewable energy programs be drawn from national and international, public and private funds alike.

To assist governments in the development of new and renewable sources of energy, the Conference decided that an intergovernmental body in the United Nations, with participation open to all states, should be charged with guiding and monitoring the implementation of the Program of Action. The question of whether a new committee should be established for this purpose or, as advocated by the United States, an existing UN committee should appropriately assume this responsibility will be decided by the 37th General Assembly. To provide continuity and a forum for discussing implementation of the Program of Action in the interim, a meeting of a special committee patterned on the Conference Preparatory Committee will be convened in the first half of 1982. The interim committee will meet once only for 2 weeks to formulate recommendations on implementation of the Program of Action for submission to the 37th session of the General Assembly.

GENERAL ASSEMBLY

On December 1 Algeria, on behalf of the Group of 77, introduced in the Second Committee a seven-part draft resolution on "UN Con-

ference on New and Renewable Sources of Energy." After informal consultations held December 2-5, the Committee approved by consensus on December 7 a draft resolution based on the original with some revisions. The draft, *inter alia*, (1) stressed the need for an intergovernmental body in the United Nations, specifically concerned with new and renewable sources of energy and entrusted with guiding and monitoring the implementation of the Nairobi Program of Action; (2) decided to establish an Interim Committee to report to the 36th General Assembly and to launch the implementation of the Nairobi Program; (3) called for support for the efforts of developing countries to accelerate cooperation among themselves in this field; (4) urged financial institutions, particularly the World Bank, to provide additional resources specifically for large-scale supporting actions, pre-investment and investment; (5) requested a World Bank/UNDP study making as accurate an estimate as possible of supporting actions and pre-investment requirements for new and renewable sources of energy in developing countries in the 1980's; and (6) requested that the final study be submitted to the Interim Committee at its meeting during the first half of 1982 to launch the implementation of the Program of Action.

Speaking in Committee after the vote, the U.S. Representative, Warren Clark, said the resolution unduly emphasized UN efforts to implement a program that was mainly the responsibility of individual countries. Improvements in the form of resource funding would result in a more successful implementation of the Program of Action. The United States was not now in a position to contribute additional resources for that purpose. The United States supported the efforts of the international community to finance investment needs in the developing countries, but could not support the establishment of, or participate in, a World Bank energy affiliate. He went on to say that his Government did not believe that money remaining in the trust fund established for the Nairobi Conference could be used properly for any other purpose. It would, however, support the repledging of the remaining funds.

The resolution was adopted in the plenary Assembly by consensus on December 17. (Resolution 36/193.)

DRAFT WORLD CHARTER FOR NATURE

The "Draft World Charter for Nature," a Zairean initiative, has been on the agenda of the General Assembly since the 35th session. The philosophy of the Draft World Charter is based on the idea that all human conduct affecting nature must be guided and judged. The Draft World Charter itself sets out general principles for the management and maintenance of ecosystems and organisms, responsibilities for ensuring the proper functioning of natural systems, and

requirements for implementation of the principles set forth in the Charter.

In the U.S. view the underlying principles of the Charter are basically acceptable, reflecting concern over the genuine problems of growing pressure on the world's resource base and natural environment. As it remains, however, the United States has technical difficulties with the overly binding formulation of the Draft Charter.

In response to resolution 35/7, the member states, in the exercise of their permanent sovereignty over their natural resources, to maintain the balance and quality of nature and conservation of those resources, and in the interest of present and future generations, communicated their views and observations on the Draft World Charter for Nature to the Secretary General. He, in turn, transmitted these views and observations to the 36th General Assembly.

On October 27 the plenary Assembly considered and adopted by consensus a draft resolution entitled "Draft World Charter for Nature." (Resolution 36/3.) The resolution, *inter alia*, invited those member states, not yet having done so, to communicate their views and observations to the Secretary General; requested the Secretary General, in cooperation with the UNEP and the International Union for Conservation of Nature to complete, on the basis of communications from member states, a revision of the Draft World Charter for Nature; and requested the Secretary General to submit the revision to the 37th General Assembly for examination and adoption at that session.

Science and Technology for Development

On December 19, 1979, the 34th General Assembly adopted resolution 34/218, the provisions of which created three bodies: the Intergovernmental Committee for Science and Technology, which is responsible for formulating UN policy guidelines and identifying priorities and activities in this area; the Center for Science and Technology for Development to coordinate science and technology activities within the UN system at the Secretariat level; and an Interim Fund for Science and Technology for Development sustained by voluntary contributions. The Interim Fund, functioning under the aegis of the UNDP, terminated as scheduled at the end of 1981, although the mechanism will continue transitionally while an *ad hoc* group negotiates for a long-term Financing System in 1982.

The United States has been an active participant in all the meetings of the Intergovernmental Committee (IGC), which met three times in 1981. The Committee is open to participation of all states as full members. The resumed second session met on January 29, and was held solely to appoint members of the advisory body on

science and technology for development. At that meeting the Intergovernmental Committee decided that the advisory body should be referred to as the Advisory Committee on Science and Technology for Development, and 28 members to the Advisory Committee were appointed. It was understood that the Secretary General, when submitting nominations in the future, would give priority consideration to experts from those countries whose candidates had not been appointed.²²

The third session held meetings May 26–June 5 and again August 25–31. The first series of meetings was devoted primarily to consideration of the Operational Plan for the implementation of the Vienna Program of Action on Science and Technology for Development.

After considerable debate at the May–June session and insistence by the United States and other Western countries to reserve decisive action on the Operational Plan until governments had more time to study the proposals and their implications, the IGC adopted a resolution to approve the Plan as a framework for further action to be decided by the Committee. The lengthy debate on the Operational Plan indicated that many governments were not satisfied with it as drafted and wanted to reserve the right to modify it in the future. Among other items also brought up at this session of the IGC was the problem of unresolved issues left over from the Program of Action of the UN Conference on Science and Technology, relating principally to technology transfer and a Code of Conduct. This question ended in an impasse and was raised again at the August session of the IGC, where an unsuccessful attempt was made to call for the week's special session to address the unresolved issues early in 1982. The United States is opposed to IGC consideration of the unresolved issues, which are under discussion in other competent UN bodies.

The August session of the IGC also was unable to resolve a deadlock over the proposal of the Intergovernmental Group of Experts on the UN Financing System for Science and Technology for Development for a long-term Financing System. During discussion of this matter the U.S. Representative, Harry B. Glazer, said that his Government appreciated the desire of developing countries to achieve development through the application of science and technology. Differences were in relation to the means of achieving such goals. The United States was opposed to the proliferation of new funds within the UN system. All existing channels needed to be used more efficiently. His Government was grateful for the overall quality of the report. However, while the United States could not agree to the major proposal, a number of recommendations merited attention and support, for instance, those concerning improvement in coordination of bilateral and multilateral programs. Mr. Glazer said that

²² Mr. Rodney Nichols of the United States was appointed at this meeting and his term of office expires on Dec. 31, 1983.

the United States could not accept any but a voluntary system of financing and therefore, those recommendations of the Group which deviated from this were not acceptable to his Government. He went on to say that his Government believed that a viable method for implementation of the Vienna Program of Action could be realized by modification of some recommendations of the Expert Group.

GENERAL ASSEMBLY

On December 7 the Second Committee had for consideration a draft resolution submitted by its Vice Chairman entitled "UN Financing System for Science and Technology for Development." The draft was approved by consensus on the same day and, *inter alia*, (1) decided to establish, in accordance with the Vienna Program of Action, long-term arrangements for the UN Financing System for Science and Technology for Development to become operative January 1, 1982; (2) decided that the year 1982 shall be considered the transitional period of the UN Financing System; (3) requested the Secretary General to convene a pledging conference early in 1982 to receive pledges for the transitional year; (4) decided that an *Ad Hoc* Intergovernmental Group of the Whole on the UN Financing System should hold two sessions, in March and in April; (5) requested the *Ad Hoc* Intergovernmental Group to prepare recommendations on the institutional, organizational, and financial arrangements for the Financing System and submit them to the Intergovernmental Committee at its fourth session; and (6) requested the Intergovernmental Committee to submit its recommendations, through ECOSOC, to the 37th General Assembly.

The plenary Assembly adopted the resolution without a vote on December 17. (Resolution 36/183.)

Speaking in Committee after the vote, the U.S. Representative, Mr. Clark, said that his delegation had been glad to join in the consensus. It appreciated the importance of science and technology for development and desire of the developing countries to improve their indigenous capacity in that sphere. His country strongly supported the developing countries' efforts through bilateral programs and through UN funding agencies such as UNDP. It maintained its view that UN technical assistance should be funded by voluntary contributions. In agreeing to the two sessions of the *Ad Hoc* International Group of the Whole in 1982, his delegation understood that Secretariat expenses would be covered from available resources.

Statistical Activities

ECOSOC's 24-member Statistical Commission,²³ which provides overall guidance for UN statistical activities, held its 21st session

²³ Members in 1981 were Australia, Austria, Brazil, Canada, Czechoslovakia, Ecuador, Egypt, Ethiopia, Finland, Ghana, Hungary, India, Iraq, Jamaica, Japan, Kenya, Malaysia, Mexico, Spain, Tunisia, Ukrainian S.S.R., U.S.S.R., United Kingdom, and United States.

January 12-21, 1981, at UN headquarters in New York. The U.S. Representative on the Commission²⁴ was elected Chairman of this session, marking the first time the United States has held this position.

The Commission reviewed progress reports covering various aspects of its work program. It recommended improvement and continued work on shipping and international trade statistics; the system of national accounts; the International Comparison Project; international economic classifications; housing and related statistics; international migration statistics; integration of demographic, social, and economic statistics; environmental statistics; and statistical data processing. It reaffirmed the value and importance of the National Household Survey Capability Program in generating national statistical capabilities in developing countries. The Commission also adopted two draft resolutions—one on energy statistics and the other on the 1983 World Program of Industrial Statistics—urging countries to participate in the development of national statistics in these areas.

As at previous sessions the Commission considered an integrated plan for international statistical programs prepared by the UN Statistical Office (a part of the UN Secretariat). The plan addressed statistical development needs and included information on costs and resources for implementing the plan.

The discussion during the 21st session suggested that the Commission should adopt a more future-oriented approach, so that the agenda gives necessary continuity to some subjects while allowing adequate time for the consideration of new topics. Therefore, the Commission requested its Working Group on International Programs and Coordination to determine special topics of importance to future development work to be taken up at future sessions and to specify required documentation. By expanding the functions of the working group to consider issues of detail and some routine aspects of the Commission's work, the Commission could concentrate its attention on the more significant issues, including the substance of the short-term and long-term plans. To handle its expanded functions the Commission thought it appropriate to extend the length of the working group's next session from 2 to 4 days.

At the spring 1981 ECOSOC session, the United States was not reelected to the UN Statistical Commission. This marked the first time since the inception of the Commission in 1946 that the United States was not a member.

United Nations University

On November 19 the General Assembly, on the recommendation of the Second Committee, adopted by consensus its customary resolu-

²⁴ Joseph W. Duncan, who at that time was Director, Office of Federal Statistical Policy and Standards, U.S. Department of Commerce.

tion on the United Nations University (UNU). The resolution noted the enlarged scope of the programs and activities of the UNU requiring greater resources for implementation and called for contributions to the University's endowment fund. (Resolution 36/45.) The United States, which fully supports the UNU concept, joined the consensus despite the inability of the United States to make any financial contribution.

Two new associated institutions joined the UNU networks, the University of the West Indies in the World Hunger Program and the University of Bern in the Natural Resources Program. The University now has 28 associated institutions and 112 research and training units carrying out its work in more than 60 countries.

The University, which is jointly sponsored by UNESCO and the United Nations, and headquartered in Japan, is directed by its Charter to be "an international community of scholars, engaged in research, postgraduate training, and dissemination of knowledge." Central to the University's operations is its network of scientists, scholars, and institutions from around the world.

The year 1981 marked the end of the first 5 years of operation of the University and the beginning of its next stage. The 17th session of the Council of the University met June 22-26 in Geneva. At this time, the rector, Mr. Soedjatmoko, presented his ideas for new goals, problem areas or themes, and modes of operation for the University to help the Council evolve a medium-term perspective for 1982-87.

The Council endorsed five new themes that would be the priority concerns and problem areas for the medium-term. They would incorporate and extend the original three problem areas of world hunger, human and social development, and use and management of natural resources. The five themes are (1) peace, security, conflict resolution, and global transformation; (2) global economy; (3) hunger, poverty, resources, and the environment; (4) human and social development and coexistence of peoples, cultures, and social systems; and (5) science, technology, and their social and ethical implications.

In September the Japanese Ministry of Education announced its decision to select a plot of land in central Tokyo as the permanent site for building the UNU headquarters. The City of Tokyo has offered the plot of land, valued at approximately \$100 million, for use by the University free of charge.

University for Peace

The University for Peace was established in 1980 by General Assembly resolution 35/55. It is a degree-granting institution devoted to study of and training in "irenology"—the as yet undeveloped

"science of peace." The "International Agreement for the Establishment of the University for Peace" entered into force on April 7 with the adherence of 10 signatory countries: Chile, Colombia, Costa Rica, Ecuador, Nicaragua, Panama, Venezuela, Pakistan, Senegal, and El Salvador. The agreement apparently imposes no more than a moral commitment upon signatories. It is not anticipated at this time that the United States will sign the agreement.

The University headquarters will be in Costa Rica. Expenses will be met from voluntary contributions made by governments, inter-governmental organizations, and from foundations and other non-governmental sources, as well as from revenue derived from tuition and related charges. Financing for the University will not have any fiscal implications for the UN budget or that of the United Nations University.

UN Institute for Training and Research

In December 1963 the UN General Assembly authorized the Secretary General to establish the UN Institute for Training and Research (UNITAR) as an autonomous institution within the UN framework. The Institute came into being in March 1965 with the convening of the Board of Trustees and appointment of the first Executive Director. The Institute's Statute was promulgated by the Secretary General in 1965 and was approved by the General Assembly on December 8, 1965. Its purpose is to enhance the effectiveness of the structure and functioning of the UN system through interrelated training and research. UNITAR, by direction of the General Assembly, is wholly dependent upon voluntary contributions.

UNITAR has three main programs: training courses and seminars developed for diplomats accredited to the United Nations and for Secretariat personnel, a research department attuned to the current needs and interests of the international community, and the Project on the Future which conducts studies of long-term global problems and policy choices for the United Nations.

The Secretary General appoints 24 of the 28 members of the Board of Trustees of UNITAR in consultation with the Presidents of the General Assembly and ECOSOC, and each serves in an uninstructed personal capacity. The four *ex-officio* board members are the Secretary General, the President of the General Assembly, the President of ECOSOC, and the Executive Director of UNITAR, who is Dr. Davidson Nicol (Sierra Leone). Until December 1980 the American on the Board of Trustees was Harvey Picker, Dean of International Studies at Columbia University. As he cannot serve more than two 3-year terms, another appropriate U.S. candidate is being sought.

The Department of Research was reorganized in 1980 around two main topic clusters, significantly consolidating the programs within the framework of the Department's priorities: studies in UN policy and efficacy and studies in regional cooperation and development. During the year five studies were published. *Paths to Peace: the UN Security Council and its Presidency*, Pergoman Press, and *The UN Security Council: Towards Greater Effectiveness* by Davidson Nicol with Babatunde Adeniran and Margaret Croke, are concerned with the Presidency of the Security Council. Daniel Frei's *Evolving a Conceptual Framework of Inter-System Relations* and Evgeny Chosudovsky's *The Helsinki Final Act Viewed in UN Perspective* deals with aspects of East-West relations. Sir Rupert John discusses *Racism and its Elimination* in his study. Various research papers were contributed to international conferences and seminars, and the series *Science and Technology for Development* continues to be published.

UNITAR's Project on the Future section is involved with technology, domestic distribution, and North-South relations; regional approaches to the problems of the future; and energy and natural resources. Each sub-project produces studies and reports on appropriate topics and hosts seminars and conferences. UNITAR's Project on the Future also periodically publishes the bulletin, *Important for the Future*, which serves as a forum for articles on energy, agriculture, nutrition, and technological and environmental problems.

On the recommendation of the June 1979 Edmonton Conference on Heavy Crude and Tar Sands, UNITAR established in May 1981 the International Information Center on Heavy Crude and Tar Sands located in New York. Working in close cooperation with three countries with the greatest known resources and experience in heavy crude and tar sands development—Canada, Venezuela and the United States—the Center to date has received support from 10 organizations in 8 countries, and a campaign to enlist participants will commence once the Center is operational. The Center will be entirely self-supporting; the funds necessary for its functioning will accrue from the subscription fee from participating organizations and other income resulting from publications and seminars. The Second International Conference on Heavy Crude and Tar Sands is scheduled to be held by UNITAR February 7–17, 1982, in Caracas. In cooperation with UNDP, the UNEP, Japan, Mexico, the State of California, and the Interstate Oil Compact Commission, UNITAR held an International Conference on Small Energy Resources September 1981 in California after the UN Conference on New and Renewable Sources of Energy, held in August 1981 in Nairobi.

U.S. support for UNITAR's Project on the Future conferences has been manifested by contributions to the Special Purposes Fund by the Department of Energy of up to \$100,000 per conference, for such

subjects as Small-Scale Energy Resources and Heavy Crude and Tar Sands.

From July 1980 to June 1981, UNITAR conducted seminars and training courses for 1,027 government officials from 153 countries. Included in these were workshops for new delegates to the General Assembly, seminars on the drafting of treaties and other international instruments, and briefing seminars on the law of the sea.

The United States contributed \$500,000 to the General Fund in 1981. An amount of \$1.84 million was pledged by governments as contributions to the 1981 General Fund. In addition a not unimportant amount was received as "other income."

At the 36th General Assembly a draft resolution was introduced by Singapore on October 19 in the Second Committee. The draft, subsequently sponsored by 30 other countries, *inter alia*, called upon the Institute to organize its programs of work and activities and to adjust its administrative costs—so as to ensure that, as from 1982, estimated expenditure does not exceed estimated revenues—and urged donor states to increase their voluntary contributions. The U.S. Representative, Steven Singer, said that because of its austerity policy, his Government regretfully had decided not to renew its contribution in 1982 or, in all probability, in 1983. The United States was opposed to financing the Institute from the regular UN budget and strongly urged the Institute to turn to private non-governmental organizations for funds. The resolution was approved in Committee on November 20 and adopted in the plenary Assembly on December 4, in both instances without a vote. (Resolution 36/75.)

On November 20 Mr. Uy, Chief of the Economic, Social, and Human Rights Section, Budget Division of the Secretariat, told the Second Committee that the Secretary General had sent a note to the Fifth Committee, asking the General Assembly to approve an additional appropriation of \$352,592 to cover UNITAR's deficit for the biennium 1980–81. On December 9 the Fifth Committee considered the grant-in-aid to UNITAR in the amount of \$352,600. By a recorded vote on the same day of 68 to 13 (U.S.), with 6 abstentions, the Committee decided to approve the additional appropriation in the program budget for 1980–81. Speaking in Committee before the vote, the U.S. Representative, John Sauls, said the United States would vote against the additional appropriation because his Government was opposed to the transfer of items from voluntary financing to the regular budget. The resolution was adopted in the General Assembly by a vote of 120 to 16 (U.S.), with 4 abstentions on December 18. (Resolution 36/234 A.)

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The principal human rights organ of the United Nations, the Commission on Human Rights,²⁵ held its 37th annual session

²⁵ Members in 1981 were Algeria, Argentina, Australia, Benin, Brazil, Bulgaria, Burundi,

February 2–March 13, 1981, in Geneva. The U.S. delegation was led by Michael Novak, a new Representative appointed by President Reagan at the start of his Administration. Richard Schifter was appointed as principal alternate to Mr. Novak. The Commission's report subsequently was considered by the 1st regular 1981 session of ECOSOC, which met April 14–May 8, in New York. Finally, the Third Committee of the 36th session of the UN General Assembly considered a lengthy agenda of human rights issues.

The Commission's expert Subcommission on Prevention of Discrimination and Protection of Minorities held its 34th regular session August 17–September 11, 1981, in Geneva.

Racial Discrimination in Southern Africa

The Commission considered several issues dealing with racial discrimination, with emphasis on apartheid in southern Africa. Five resolutions before the Human Rights Commission related to racial discrimination, including resolutions on the Report of the Working Group of Experts (which since 1967 has been investigating the human rights situation in southern Africa), implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the issue of independence and self-determination for Namibia, and the question of the "adverse consequences" for the enjoyment of human rights of various forms of assistance extended to regimes in southern Africa.

The United States was unable to support any of these resolutions. The U.S. position was complicated, combining, according to the U.S. Representative, Mr. Schifter, an "abhorrence of apartheid" with recognition that South Africa already was caught up in an irreversible momentum leading to dynamic change. "Confrontational dialogue," Mr. Schifter remarked, encourages violence rather than the "evolutionary, dynamic change" conducive to a peaceful and permanent transition. Mr. Schifter spoke forcefully of the need for evenhandedness in the Commission's treatment of South Africa: "We have reason to question the motivations of those who mount criticism of the human rights record of other countries when at home their own systems of government fail to observe even minimal standards of human rights."

One resolution considered by the Commission dealt with the Report of the *Ad Hoc* Working Group of Experts, which, *inter alia*, condemned the increased South African military presence in Namibia, reaffirmed Namibia's right to self-determination, endorsed

Byelorussian S.S.R., Canada, Costa Rica, Cuba, Cyprus, Denmark, Ethiopia, Fiji, France, Federal Republic of Germany, Ghana, Greece, India, Iraq, Jordan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Senegal, Syria, Uganda, U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, Zaire, and Zambia.

material and political support for opponents of the South African Government, and recommended economic sanctions against the Government. The resolution, which was adopted by a vote of 33 to 3 (U.S.), with 5 abstentions, also recommended renewing the mandate of the Working Group. (Resolution 5 (XXXVII).)

This resolution also included an appeal for ratification of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The Convention was also the subject of a separate resolution which appealed to states that had not yet done so to ratify or to accede to the Convention. The resolution was adopted by a vote of 30 to 0, with 11 abstentions (U.S.). The United States abstained on this resolution, because it did not support the Convention and takes no position on activities of states parties in accordance with the Convention. (Resolution 6 (XXXVII).)

However, the United States opposed the draft resolution in the General Assembly on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The draft resolution—sponsored by a cross-section of mostly African, Asian, and Eastern European states—in addition to urging ratification of the Convention, requested the Human Rights Commission to continue to prepare a list of individuals, organizations, institutions, and representatives of states that are alleged to be responsible for the crime of apartheid, as defined in the Convention. The resolution, recommended by the Third Committee, was adopted by the plenary on October 28 by a vote of 124 to 1 (U.S.), with 23 abstentions. The United States opposed the resolution because of this provision for the compilation of a list, because the United States does not recognize the crimes of which those included in the list were allegedly guilty. (Resolution 36/13.)

In the Human Rights Commission the United States abstained on a resolution on Namibia which condemned South Africa for mistreatment of prisoners and requested the Security Council to enforce mandatory economic sanctions on that country. Although the United States supported the concept of self-determination for Namibia, it did not seem prudent to support a position that could place in jeopardy the objective of seeking a peaceful resolution of the Namibian problem. The resolution was adopted by a vote of 35 to 0, with 6 abstentions (U.S.). (Resolution 4 (XXXVII).)

On the question of adverse consequences of assistance to regimes in southern Africa, the United States voted against a resolution which expressed appreciation for a report prepared by a Special Rapporteur, Mr. Ahmed Khalifa (Egypt), containing a general list of banks, transnational corporations, and other organizations giving assistance to the "racist and colonial regimes of southern Africa." The resolution contained a number of operative paragraphs calling for measures to end all kinds of assistance to the racist regimes in

southern Africa and expressly called on governments of countries where the listed banks, transnational corporations, and other organizations were based to take effective action to put a stop to their activities. The resolution, which essentially supported sanctions against South Africa and endorsed the report which cited U.S. companies doing business with South Africa in full accordance with U.S. law, was adopted by a vote of 30 to 4 (U.S.), with 6 abstentions. (Resolution 8 (XXXVII).)

Finally the United States did not participate in voting on a resolution on the Implementation of the Program of the Decade for Action to Combat Racism and Racial Discrimination. As the U.S. Representative, Mr. Schifter, explained, "We did not participate in the vote on this resolution for the well-known reason that the program in question includes the unwarranted equation of Zionism with racism." (Resolution 7 (XXXVII).)

On October 28 the General Assembly, on the recommendation of the Third Committee, adopted an identical resolution on Implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination by a vote of 110 to 4, with 19 abstentions (again, the United States did not participate in the vote). (Resolution 36/8.)

A draft resolution concerned with the Report of the Committee on the Elimination of Racial Discrimination was approved by the Third Committee on October 16 by a vote of 134 to 1 (U.S.), with 0 abstentions. Although the United States supported the resolution's strong condemnation of apartheid, the draft before the Third Committee also urged mandatory economic and political sanctions against South Africa, which the United States continued to oppose for their indiscriminate applicability to all segments of society. The resolution was adopted in plenary on October 28 by a vote of 145 to 1 (U.S.), with 1 abstention. (Resolution 36/12.)

However, on October 28 the United States joined in the adoption without a vote of a resolution dealing with the status of the International Convention on the Elimination of All Forms of Racial Discrimination. The resolution which had originated in the Third Committee requested the Secretary General to continue annual reports on the status of the Convention and otherwise endorsed ratification of the treaty and the objectives of the Decade for Action to Combat Racism. (Resolution 36/11.)

Economic, Social, and Cultural Rights

The 37th session of the Human Rights Commission focused with increasing attention on the question of the realization in all countries of economic, social, and cultural rights, with particular emphasis on the problems faced by developing countries in achieving these

rights. In general, the United States believed that the "right to development" resolutions introduced by Third World countries implied a right of developing countries to receive assistance, the duty of developed countries to provide assistance as a form of reparations for colonialism, and the necessity of establishing a new international economic order before all human rights can be realized. Although not prepared to accept these constraints, the United States was willing to recognize the concept of equal opportunity to develop rather than a right to achieve development.

In previous years the United States had been able to join in the consensus on a resolution that endorsed a "right to development," that included as basic ingredients peace and respect for human rights, and that stressed the obligation of states to create conditions necessary for the realization of the right to development. In 1981, however, it was decided to seek a single consensus resolution that combined the contents of this resolution with more extreme drafts proposed by Cuba and Algeria.

This combined draft resolution, introduced by Algeria and sponsored by several Third World countries, attempted to establish as basic premises (1) the indivisibility and interdependence of civil, political, economic, social, and cultural rights; (2) the primacy of establishing a new international economic order to accelerate the development of developing countries and to eliminate the economic inequalities among countries; and (3) the importance of establishing the principle of the right to development as a human right and that equality of opportunity for development is as much a prerogative of nations as of individuals within nations. In its operative paragraphs the Algerian draft resolution proposed establishing a working group of 15 governmental experts to study the scope and contents of the right to development, and the most effective means of ensuring for developing countries the full range of economic, social, and cultural rights described in the basic international instruments. The 38th session of the Human Rights Commission was asked to review the conclusions of this working group.

The United States opposed the resolution on the grounds that it reflected a shift in emphasis and priorities from civil and political rights to economic and social rights, and from individual to collective human rights. Nor was the United States prepared to accept a claim that failure to recognize a nation's full sovereignty over its wealth and natural resources amounted to a massive and flagrant violation of the human rights of its people. Such an assertion denied the applicability of existing international law. Finally the United States did not recognize the "right" of development or any assertion that the new international economic order was essential to the promotion of human rights and fundamental freedoms.

In his statement before the Commission, the U.S. Representative, Mr. Novak, offered instead the example of "democratic capitalism"

as a model for reducing material suffering and increasing the wealth of all nations. "Democratic capitalism," Mr. Novak insisted, "holds that a rising tide lifts every boat." This linkage between democracy and capitalism described by Mr. Novak reflected the traditional view that political liberties bring forth economic liberties. However, the United States found itself virtually alone in opposition. The Human Rights Commission approved the resolution overwhelmingly by a vote of 40 to 1 (U.S.), with 2 abstentions. (Resolution 36 (XXXVII).) Subsequently the United States was represented in the aforementioned working group of 15 governmental experts studying the scope and contents of the right to development.

A resolution on the right to development introduced by Cuba in the Third Committee of the General Assembly received equally strong support. Entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms," the operative paragraphs reiterated the connection between the new international economic order and human rights and fundamental freedoms; declared the right to development to be an inalienable human right; and requested the Human Rights Commission to take the steps necessary to promote the right to development, taking into account any recommendations by the working group of experts. The Third Committee on November 13 approved the resolution by a vote of 118 to 1 (U.S.), with 16 abstentions. It was adopted in plenary on December 14 by a vote of 135 to 1 (U.S.), with 13 abstentions. (Resolution 36/133.)

Self-Determination

As Mr. Novak indicated in his speech before the Human Rights Commission on the subject of self-determination, the concept of "foreign occupation" only recently had joined "colonialism" as an impediment to self-determination. Mr. Novak pointed out that Afghanistan, invaded by the Soviet Union, had spewed forth over 1 million refugees. He stressed that "nowhere in the world has the principle of self-determination been more directly and flagrantly violated than in Afghanistan." In Kampuchea, Vietnam "now replaced the Pol Pot regime as the persecutor of the people." Mr. Novak charged that Kampuchea "remains under the iron hand of an army of occupation ruling through a puppet regime. The Khmer people have no voice in their political and economic system. These abuses will not be corrected by the charade of an election run by the army of occupation, its results preordained."

The Commission approved by a vote of 31 (U.S.) to 8, with 3 abstentions, a Pakistani initiative that called for the immediate withdrawal of foreign troops from Afghanistan. As in the resolution

approved by the Commission during the previous year, the Commission called for a political settlement based on the withdrawal of foreign troops, and called for the right of return for refugees, most of whom were being cared for by Pakistan. (Resolution 13 (XXXVII).) Unlike the resolution adopted the previous year, this resolution made no specific mention of the Soviet Union.

With regard to Kampuchea the Human Rights Commission reiterated its condemnation of the gross and flagrant violation of the right to self-determination by forces of foreign occupation. The resolution, introduced by the Philippines and sponsored by Asian and Western countries, also called for the end of hostilities, the immediate unconditional withdrawal of foreign forces, and free and fair elections without outside interference and endorsed the concept of an international comprehensive conference on Kampuchea. The resolution was adopted by a vote of 26 (U.S.) to 9, with 6 abstentions. It also recommended that ECOSOC and the 38th session of the Human Rights Commission give further consideration to the plight of the Kampucheans. (Resolution 11 (XXXVII).)

The spring session of ECOSOC endorsed the Human Rights Commission resolution calling for withdrawal of foreign forces from Kampuchea by a vote of 42 (U.S.) to 8, with 1 abstention. (Decision 1981/154.)

As in the previous year the Commission also dealt with a draft resolution introduced by Uganda, and sponsored, among others, by Algeria, Cuba, and Libya, that deplored Morocco's continuing occupation of the Western Sahara, and called upon the United Nations to cooperate with the OAU recommendation for a ceasefire and referendum. The draft resolution was adopted by a vote of 26 to 5 (U.S.), with 11 abstentions. It would be counterproductive, Mr. Novak indicated, to condemn either participant in these negotiations. (Resolution 12 (XXXVII).)

Cuba introduced a draft resolution, also sponsored by Algeria, Iraq, Syria, Uganda, Yugoslavia, and Zambia, aimed toward the right to self-determination of the South African, Namibian, and Palestinian people, that condemned South Africa and Israel for violations of self-determination through use of force. The United States opposed the resolution, which was adopted by a vote of 31 to 8 (U.S.), with 3 abstentions, as an intemperate attack on Israel and South Africa and those countries having relations with South Africa. Furthermore the United States considered this resolution redundant in view of other resolutions considered by the Human Rights Commission dealing with South Africa and the Palestinians. (Resolution 14 (XXXVII).)

The General Assembly, at its 36th session, considered further the self-determination question. In the Third Committee the U.S. Representative, Carl Gershman, discussed the alternative perspectives of self-determination posed by the Wilsonian and Leninist views.

Wilson, he explained in his analogy, attempted to apply the values of liberal democracy to world affairs, a view which said that the right of national self-determination "could be infringed as much by the denial of democratic liberties as by the violation of national sovereignty." The Leninist view grew instead out of a desire to harness anticolonialist sentiment to the Bolshevik revolution. Citing Wilson's belief in the "power of the united moral forces of the world," Mr. Gershman pointed to the continuing efforts in Namibia, Afghanistan, and Kampuchea, adding that "mobilizing these forces in support of genuine self-determination and fundamental freedoms for all peoples is the awesome challenge facing the United Nations."

The United States in the Third Committee was able to join in the consensus on behalf of a Pakistani resolution on the "Universal realization of the right of peoples to self-determination." In explanation of its vote the United States expressed satisfaction that the draft resolution clearly applied to situations in Afghanistan and Kampuchea, both of which directly involved a denial of the exercise of the right to self-determination because of foreign intervention and occupation. This draft resolution was adopted in plenary Assembly without a vote on October 28. (Resolution 36/10.)

The United States opposed a resolution introduced by Angola on "The importance of the universal realization of the right of people to self-determination and the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights." The United States opposed the resolution, which was approved in the Third Committee by a vote of 111 to 17 (U.S.), with 8 abstentions, because it condemned NATO's political, economic, and military dealings with South Africa; called for a mandatory arms embargo against South Africa; and criticized Israel for the bombing of Lebanon. As in other resolutions dealing with South Africa and Israel, the United States refused to support language characterized by strident and counterproductive rhetoric which only could encourage more polarization and strife. The General Assembly, on October 28, adopted the resolution by a vote of 120 to 17 (U.S.), with 9 abstentions. (Resolution 36/9.)

Human Rights in the Occupied Territories of the Middle East

The volatile issue of human rights in the Middle East has occupied center stage in the Human Rights Commission since 1968. As in previous years the Commission adopted a two-part resolution on the question of the violation of human rights in the occupied Arab territories, including Palestine. (Resolution 1 A and B (XXXVII).) Sponsored primarily by the Arab members, the Commission voted 31 to 3 (U.S.), with 8 abstentions, to adopt a general, broad-ranging

condemnation of various alleged Israeli policies and practices in the occupied territories (Part A), and 41 to 1 (U.S.), with 0 abstentions, to adopt a condemnation of Israel for refusing to apply the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to the occupied territories (Part B). The U.S. vote against Part A of the draft resolution was based upon the exaggerated nature of the allegations contained in it and the assumption that all allegations against Israel had been proven, even though supporting evidence was not before the Commission. Mr. Novak reiterated U.S. opposition to the inference created by an "obnoxious formulation" in Part A which equated Zionism with racism in a way designed to undermine Israel's legitimacy and existence. Although the United States maintains that the Geneva Convention is applicable to the occupied territories, Part B was unacceptable for several reasons. Part B charged that the failure of Israel to acknowledge the applicability of that Convention "creates a situation fraught with danger" and "condemned the failure of Israel to acknowledge the applicability of the Convention to the occupied territories." Mr. Novak also argued, with regard to Part B, that the resolution, by failing to recall Security Council resolution 242 (1967), ignored an indispensable ingredient of the peace process. The United States also expressed reservations concerning use of the phrase "Palestinian and other Arab territories occupied since 1967, including Jerusalem" to describe the areas occupied by Israel after the 1967 war.

At the 36th General Assembly session, the same human rights issue was debated once again in the Special Political Committee, and is discussed in Part 1 of this report (see p. 11).

Disappeared Persons

The 37th session of the Human Rights Commission continued the efforts by the two previous sessions to place the moral force of the Commission behind the need to end the large numbers of involuntary disappearances which had aroused the strong Western initiative in 1980 to investigate the problem. In response to its mandate the Working Group on Disappeared Persons presented to the 1981 session a report that gave priority to case histories and concerned itself with those countries from which these histories had been submitted. The working group tended to emphasize Latin American countries, particularly Argentina.

The United States hoped to have the Commission extend the mandate of the working group, to reaffirm its authority to seek and receive information from governments and non-governmental groups, and to strengthen the Commission's appeal for cooperation. However, there was some opposition to extending the mandate of the working group and there was momentum, particularly from Argenti-

na, to move consideration of the missing and disappeareds from public to confidential procedures pursuant to ECOSOC resolution 1503 (XLVIII).

Posing alternate views France and Argentina circulated two preliminary draft resolutions. The French draft represented a simple extension of the mandate of the working group and reaffirmed its original terms of reference under the public portion of the Human Rights Commission agenda. Argentina's draft, which had the support of the Soviet and Eastern European countries, agreed to extend the working group's mandate, but urged that the investigation and report of findings be treated confidentially within the terms of reference applied to private proceedings pursuant to ECOSOC resolution 1503 (XLVIII) procedures. Furthermore the Argentine draft would have called upon the working group to share copies of any communications with the governments to which they applied.

Although the U.S. Representative, Mr. Novak, deplored the fact that the working group could not account for so many people, he pointed out that it also seemed that disappearances were being singled out for attention in a way not applied to the phenomenon of penal camps or abuse of mental hospitals for political reasons or to the more brutal forms of political exile. He added: "Human rights violations are reprehensible wherever they occur. We do not go far enough when we single out this category of human rights violations, while gross violations that occur elsewhere do not receive the same spotlight of attention."

The Commission voted on the compromise French resolution, "Question of enforced or involuntary disappearances," which extended the mandate of the working group for 1 year, deplored any lack of cooperation by governments, and requested that the working group report to the 38th session of the Human Rights Commission. The United States joined in the consensus adoption of the resolution. (Resolution 10 (XXXVII).) This decision was welcomed by the 36th session of the UN General Assembly, which urged the Human Rights Commission to treat the issue of disappeared persons as a matter of priority and appealed to all governments to cooperate with the humanitarian objectives of the working group. The General Assembly resolution was adopted without a vote on December 16. (Resolution 36/163.)

Human Rights in Chile

The question of continuing the mandate of the Special Rapporteur on the human rights situation in Chile remained central to the debates on Chile during the 37th session of the Human Rights Commission and the 36th session of the UN General Assembly. The Commission adopted by a vote of 22 to 4 (U.S.), with 17 abstentions, a

resolution sponsored by Algeria, Cuba, Mexico, and Yugoslavia, that was critical of the Chilean Government on several grounds, including its refusal to cooperate with the Special Rapporteur and complaints of severe human rights violations. The resolution recommended extending the mandate of the Special Rapporteur for another year, and urged the Chilean Government to take specific steps to deal with problems relating to civil and political liberties in that country.

Unlike its position during the 36th session, the United States opposed extending the mandate of the Special Rapporteur for an additional year. In calling for an end to the Special Rapporteur, the U.S. Representative called for "evenhanded justice" which would allow for treating Chile like "other comparable nations." Although the United States continued to condemn human rights violations in Chile, Mr. Novak said it also had concluded that new approaches and procedures were needed. He argued that although the method of using a Special Rapporteur is unique, abuses of human rights in Chile were not unique in Latin America or elsewhere, and the Commission's resolution failed to treat Chile as it would other comparable nations. Mr. Novak argued instead for an approach that would recognize and encourage steady improvement in Chile by ending Chile's isolation. He observed that "while several nations, whose own human rights records are appalling, hypocritically attacked Chile . . . the spectacle of special procedures for Chile, which are not used for these more serious violators, can scarcely win the confidence of attentive men and women."

The question of the human rights situation in Chile was raised again, this time during the 36th General Assembly in the form of two draft resolutions submitted to the Third Committee. One was sponsored by Algeria, Cuba, Mexico, and Yugoslavia, the second, by the Netherlands. Following negotiations the four-power draft resolution was withdrawn in favor of a strengthened Netherlands resolution cosponsored by Algeria, Cuba, Denmark, France, Greece, Mexico, Nicaragua, Sweden, and Yugoslavia. The resolution, which reiterated the Special Rapporteur's concerns over human rights violations in Chile, was approved in the Third Committee on December 3 by a vote of 83 to 20 (U.S.), with 36 abstentions, and adopted by the General Assembly on December 16 by a vote of 84 to 20 (U.S.), with 42 abstentions. (Resolution 36/157.) In its explanation of vote before the Third Committee, the United States reiterated the arguments expressed earlier in the year before the Human Rights Commission, and pointed out as examples of improvement that no disappearances had occurred since October 1977 in Chile and that most political prisoners had been released by early 1978. The United States opposed as unbalanced this treatment of non-Communist Latin American nations, which created a double standard on human rights issues in the United Nations.

Consistent with the view that the Human Rights Commission should be more evenhanded in its treatment of human rights violations wherever they occur throughout the world, the United States was pleased to support a Nordic draft resolution in the Commission that proposed converting a Chile-specific trust fund for victims of torture to a trust fund for victims of torture applicable throughout the world. As the Danish Representative noted, the purpose of the Voluntary Fund was purely humanitarian, allowing the Board of Trustees to channel payments to established humanitarian organizations for distribution to identifiable victims of torture. Despite attempts by the Soviet Union to attack the resolution with crippling amendments, the Commission adopted the resolution by a vote of 22 (U.S.) to 7, with 14 abstentions. (Resolution 35 (XXXVII).) By a vote of 34 (U.S.) to 5, with 10 abstentions, ECOSOC agreed to recommend to the UN General Assembly redesignating the "UN Trust Fund for Chile" as a "UN Voluntary Fund for Victims of Torture." The General Assembly, on December 16, by a vote of 96 (U.S.) to 15, with 33 abstentions, endorsed that recommendation. (Resolution 36/151.)

Improving Effective Enjoyment of Human Rights

As part of the ongoing effort to improve the programs and methods of the Human Rights Commission and to make the work of the Commission more effective in pursuit of human rights and fundamental freedoms, the 36th session of the Commission decided to establish at the beginning of its 37th session an open-ended sessional working group whose task was to develop an overall analysis of the best means by which to further the promotion and encouragement of human rights. Two major questions under consideration included the establishment of a High Commissioner for Human Rights and a possible intersessional role for the working group.

The United States had favored establishing a High Commissioner since the idea was first proposed in 1965; nevertheless, the United States opposed establishing a High Commissioner unless that person was invested with real authority. A draft resolution proposed by the United Kingdom appeared to offer some promise for moving out of the perpetual stalemate, proposing the establishment of a High Commissioner under the authority of the Secretary General, and urging that ECOSOC recommend to the UN General Assembly a resolution in support of a High Commissioner. Although the United States was prepared to support the U.K. draft, support within the Human Rights Commission was inadequate to break the impasse. Instead the Commission voted 25 (U.S.) to 0, with 16 abstentions, in favor of a draft decision submitted by Costa Rica that informed ECOSOC and the General Assembly that the Commission had not

reached a decision on whether to establish a High Commissioner for Human Rights. (Decision 6 (XXXVII).)

The General Assembly resumed consideration of the post of High Commissioner for Human Rights, prodded in part by the unexpectedly strong call by the Commission's Subcommission on Prevention of Discrimination and Protection of Minorities (which met after the 37th session of the Commission) for action by the Human Rights Commission to establish a post of High Commissioner for Human Rights. The Subcommission approved the resolution, introduced by Zambia, by a vote of 15 (U.S.) to 2 (U.S.S.R.), with 5 abstentions. The Subcommission's endorsement of the establishment of the High Commissioner's Office was noteworthy for the introduction of the resolution by an African member, the decisive majority in favor of the post, and the obvious isolation of the Soviet and Eastern European opposition.

It was not surprising, then, that the Third Committee adopted without a vote a Costa Rican draft resolution in favor of a High Commissioner that obtained wide cosponsorship. The resolution requested the Commission to consider the question of the High Commissioner as a matter of high priority at the next session and to report on its conclusion to the General Assembly. On December 14 the resolution was adopted in plenary, also without a vote. (Resolution 36/135.)

The Commission also agreed by consensus on a procedural recommendation that the mandate of the sessional working group be continued the following year.

The Commission adopted without a vote an Australian initiative on the development of public information activities dealing with human rights. The initiative was similar to one adopted without a vote the previous year, except for an innovative recommendation that the Secretary General consider establishing human rights reference libraries in UN offices. The United States supported this effort to facilitate publicity regarding UN activities in the human rights area on the setting and implementation of human rights standards, with the stipulation that the costs of the program be kept within existing funding capabilities. (Resolution 24 (XXXVII).)

Violations of Human Rights

A recurring item on the agendas of the Commission on Human Rights deals with human rights violations in any part of the world and covers both public and private proceedings. The private proceedings are pursuant to ECOSOC resolution 1503 (XLVIII), which authorized the Commission to take action on situations appearing to reveal a consistent pattern of gross and reliably attested violations of human rights. According to the Commission's procedures only the

identities of the countries considered during the confidential procedures may be made public. During its 37th session the Commission acted on communications regarding Argentina, Bolivia, the Central African Republic, Chile, El Salvador, the German Democratic Republic, Guatemala, Haiti, Indonesia, Japan, Mozambique, and the Republic of Korea.

Uppermost on the minds of many Commission members was the question of the new Administration's position on human rights issues. Speaking publicly on behalf of the Administration, the U.S. Representative, Mr. Schifter, reaffirmed the U.S. commitment to human rights. Quoting Secretary of State Haig, Mr. Schifter affirmed the Administration's view that "human rights is an essential and fundamental aspect of American foreign policy and domestic policy." Mr. Schifter further underscored what was to be the Administration's theme on human rights issues—the need to pursue a sense of fairness and evenhandedness and proportionality in approaching human rights violations wherever they occur throughout the world. As an example of the Administration's position, Mr. Schifter pointed to the Commission's emphasis on certain Western Hemisphere countries—Argentina, Bolivia, Chile, El Salvador, Guatemala, Haiti, Paraguay, and Uruguay. He argued that true impartiality would lead the Commission to undertake consideration of Cuba, whose Government has been responsible for the massive outpouring of its own citizens in violation of international law. Impartiality would lead also to consideration of Nicaragua, where the Government has taken violent action against those of its citizens acting in defense of human rights. Finally Mr. Schifter noted the repressive thrust of the Soviet Union against Andrei Sakharov, Yuriy Orlov, and Anatoly Shcharansky as examples to others who might speak out on behalf of the basic principles of human rights.

Mr. Schifter's remarks foreshadowed the major themes which the Commission would consider under the question of violations of human rights anywhere in the world. These included the modern phenomenon of mass exoduses of millions of people, the growing threat of hostage-taking, as well as the specific questions of human rights violations in Guatemala, Bolivia, and El Salvador.

Concerning the matter of mass exoduses, the Commission adopted without a vote a Canadian draft resolution, also sponsored by 13 other states, that appointed for 1 year a Special Rapporteur to study the relationship of human rights and mass exoduses and to report on his findings to the next session of the Human Rights Commission. (Resolution 29 (XXXVII).) The Commission adopted the resolution in reaction to the great distress experienced by the refugees and the enormous demands on international resources—particularly on countries of first asylum—caused by the great flow of Indochinese boat people and the cruel violations of human rights of millions of

refugees in Asia and Africa. The resolution called for the appointment of "an individual or recognized international standing" as Special Rapporteur. Prince Sadruddin Aga Khan, the former UN High Commissioner for Refugees, was asked to undertake the task. (See also p. 142 for General Assembly consideration of the related item "International Cooperation to Avert New Flows of Refugees.")

The Human Rights Commission addressed with great concern the question of human rights violations in El Salvador. The issue had been receiving increasing attention as a result of the intensified military struggle between the Government of El Salvador and the violent guerrilla opposition backed by Cuban, Nicaraguan, and Soviet supplies. In December 1980 the United States announced its intention to resume economic assistance to El Salvador to encourage the emergence of a centrist, stable government capable of controlling the violence leading to human rights violations.

The Commission considered two draft resolutions dealing with human rights conditions in El Salvador, one sponsored by Denmark, Ireland, and the Netherlands and another sponsored by Algeria, Mexico, and Yugoslavia. The former represented a moderate approach to a complex question. It urged full respect for human rights and fundamental freedoms in El Salvador, an end to all acts of organized violence and acts of terrorism, and that all parties seek a peaceful settlement. The draft resolution sought a democratically elected government established in an atmosphere free from intimidation and terror and urged the appointment of a Special Rapporteur who would report to the 38th session of the Human Rights Commission. The United States viewed the second draft resolution as one-sided and directed solely at the Government of El Salvador, ignoring Cuba's role as a major supplier of leftist forces in El Salvador.

The United States took the position that although it recognized and deplored the human rights abuses in El Salvador, these abuses arose from many sources. Terror in El Salvador stemmed from the left as well as the right, from renegade elements of security forces, and from abroad. As long as an increased supply of modern weapons and supporting equipment continued coming to Salvadoran guerrillas from outside sources, particularly Cuba, the United States would continue to meet the requests of the Government for arms and military assistance. The U.S. Representative, Mr. Schifter, urged the Human Rights Commission to support a peaceful democratic settlement in El Salvador.

The United States abstained on the Netherlands resolution, which the Commission adopted by a vote of 29 to 1, with 11 (U.S.) abstentions. (Resolution 32 (XXXVII).) Because this resolution had been revised in some respects to reconcile the positions of the two resolutions, the second resolution was not considered further.

During the General Assembly session the Third Committee informally considered two resolutions, one circulated by Denmark, the

Netherlands, and Sweden which paralleled the resolution approved by the Human Rights Commission. Although this version of the resolution had certain shortcomings, the United States was reassured by the draft's emphasis on bringing about a peaceful settlement. A Mexican draft resolution, however, recognized the "representative" nature of the guerrillas and requested all parties to arrive at a "negotiated political solution" without making reference to free elections. Furthermore this draft resolution implied that El Salvador's Government was solely responsible for the human rights violations in that country. Preliminary discussions indicated that the Mexican draft had obtained broad support, and the Netherlands version was not submitted in favor of a combined resolution supported also by Algeria, Denmark, France, Greece, Ireland, Nicaragua, Sweden, and Yugoslavia.

The draft resolution finally voted on by the Third Committee expressed deep concern for violations of human rights and fundamental freedoms in El Salvador, including assassinations and disappearances; appealed to all countries to stop arms supplies; and claimed that conditions for establishing a democratically elected government did not yet exist. It included a request for a negotiated political solution by the parties concerned—in an atmosphere free from intimidation and terror—and urged El Salvador's Government to adopt the measures necessary to ensure full respect for human rights and to create conditions which could lead to a political solution through full participation of all representative political forces in that country.

In a speech before the Third Committee, on December 1, Ambassador Kirkpatrick told the Committee that although the United States shared the desire to see peace restored to El Salvador, the Mexican resolution under the guise of humanitarian concern boldly attempted "to intervene in El Salvador's bitter internal strife on the side of the insurgents, and to help those insurgents gain, through international pressure, status and power which they are incapable of winning on the battlefield or through competitive elections." On its part, she said, the Salvadoran Government supported the electoral process, had pushed for a land reform program, and had "solid support by virtually all the democracies of Latin America." The Third Committee approved the Mexican draft on December 1 by a vote of 65 to 21 (U.S.), with 54 abstentions, an increase over the previous year in the number of negative votes and abstentions. The resolution was adopted in plenary on December 16 by a vote of 69 to 22 (U.S.), with 53 abstentions; the number of "no" votes and abstentions exceeded the number of votes in favor of adoption. (Resolution 36/155.)

The question of appointing a Special Rapporteur arose also in connection with the discussion of human rights violations in Guate-

mala. On the basis of a report by Amnesty International, the Human Rights Commission had adopted a resolution in 1980 expressing profound concern over the human rights situation in Guatemala and its intention to review conditions in Guatemala at the 37th session. The United States took the view that although it opposed human rights abuses wherever they occurred and from whatever source, the UN focus on selected Latin American countries reflected the problem of a double standard which the United States opposed.

The Commission informally considered two draft resolutions, one circulated by the Netherlands calling for a Special Rapporteur, the other a Canadian draft resolution also endorsing the concept of a Special Rapporteur and expressing profound concern over the further deterioration of human rights and fundamental freedoms in Guatemala. The two draft resolutions finally were merged in a resolution which requested the Secretary General to establish direct contact with the Guatemalan Government, to collect information from all relevant sources on human rights conditions in that country, and to submit an interim report to the 36th UN General Assembly. The resolution also urged the Guatemalan Government to cooperate with the Secretary General. The resolution, sponsored by Canada, the Netherlands, Uganda, and Zambia, was approved by the Human Rights Commission by a vote of 28 (U.S.) to 2, with 10 abstentions. (Resolution 33 (XXXVII).)

The Third Committee of the General Assembly considered a draft decision sponsored by Ghana and the Netherlands that requested the Secretary General to continue efforts to establish direct contacts with the Guatemalan Government and requested the Government to cooperate further with the Secretary General. The decision was approved in the Third Committee by a vote of 68 to 18 (U.S.), with 41 abstentions. In his explanation of vote the U.S. Representative objected to the decision because it formed part of an intolerable scenario designed to concentrate attention in human rights matters solely on one part of the world, Latin America. The United States would not associate itself with that double-standard approach. The decision was adopted in plenary on December 16 by a vote of 81 to 18 (U.S.), with 45 abstentions. (Decision 36/435.)

The Human Rights Commission once again considered the situation in Bolivia which, since the overthrow of the former Government in July 1980, had generated increasing attention from the Commission as the new Government attempted to deal with its political enemies. A draft resolution sponsored by Canada and the Netherlands took note of General Assembly resolution 35/185 requesting the Human Rights Commission to accept the earlier Bolivian invitation to visit that country, and requested appointment of a special envoy of the Commission to do a thorough study of the human rights situation and report to the 38th session of the Human Rights

Commission. Although some question existed on whether the debate should be held publicly or privately, it was decided that because the General Assembly resolution had been made in public, any response to the resolution must be as public. The resolution was adopted by a vote of 29 (U.S.) to 3, with 8 abstentions. (Resolution 34 (XXXVII).)

The Commission also adopted resolutions dealing with the human rights situations in Cyprus, Uganda, and Equatorial Guinea. The Commission approved by consensus a motion identical to one adopted the previous year to postpone consideration of the Cyprus problem to the next session but to maintain the requirement of earlier resolutions to provide a report to the Commission on the human rights situation in that country. (Decision 5 (XXXVII).)

A resolution dealing with Uganda and adopted by consensus noted in the preambular section the positive efforts of Uganda's Government to restore a democratic system protective of human rights and fundamental freedoms and requested the Secretary General to provide whatever advisory services were necessary to continue to aid the Government in its efforts. (Resolution 30 (XXXVII).)

In a resolution dealing with Equatorial Guinea, the Commission approved by consensus a resolution expressing appreciation of a report on human rights conditions in that country by Professor Fernando Volio Jimenez (Costa Rica) and decided to keep the situation under review for another year. (Resolution 31 (XXXVII).)

The peculiar circumstances of Iran's taking of American hostages and what seems a growing tendency to turn diplomats into scapegoats for political discontent led to a U.S.-sponsored resolution, also sponsored by 17 other states. The draft resolution dealt with the general question of hostage-taking as a violation of human rights. The U.S. Representative, Mr. Schifter, underscored that hostage-taking everywhere, particularly the new and burgeoning phenomenon of action against diplomatic personnel, threatened the fabric of international relations. It was the special responsibility of all governments, he said, to meet the norms of international law regarding the protection of diplomatic and consular personnel. By removing specific reference to U.S. hostages in Iran, the United States and its cosponsors were able to obtain passage without a vote on a resolution that reaffirmed that the taking of hostages constituted a grave violation of human rights and called upon all states to observe their international obligations. (Resolution 27 (XXXVII).)

Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The modern age of innovative technology has increased the potential for inflicting torture and other cruel, inhuman, or degrading treatment and broadened the potential sphere in which human

rights may be violated. Among the several initiatives considered to combat these problems, the General Assembly dealt with the problem of violations against persons under any form of detention or imprisonment, specifically the draft text entitled "Draft Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment."

This draft text eventually resulted from a 1975 resolution of the UN General Assembly (3453 (XXX)) requesting the Human Rights Commission to study the formulation of principles for the protection of all persons under any form of detention or imprisonment. The following year the Commission asked the Subcommission on Prevention of Discrimination and Protection of Minorities to develop a draft body of principles, which was accomplished under the leadership of the Special Rapporteur, Ambassador Erik Nettel (Austria). In 1978 the Subcommission adopted and submitted to the Human Rights Commission a revised text of the draft. The following year ECOSOC approved a Commission resolution (17 (XXXV)) requesting the Secretary General to forward the draft body of principles to member states for comment. This report to the 1980 session of the UN General Assembly included 35 principles applicable to all forms of arrest or detention, calling upon states to prevent violations of these principles. During the General Assembly's 1980 session, a working group of the Third Committee made significant progress on the draft text. Because of the workload of the Third Committee, however, the draft instrument was transferred to the Sixth (Legal) Committee. The progress made by the Sixth Committee working group in 1981 is discussed in Part 4 (see p. 334).

The 37th session of the Human Rights Commission adopted by consensus a resolution sponsored by Cuba, Denmark, Greece, Norway, Senegal, and Sweden on torture and other cruel, inhuman, or degrading treatment or punishment. In its preambular portions the resolution referred to General Assembly resolution 35/178 requesting the Commission to complete the drafting of a convention against torture, and to ECOSOC resolution 1980/32 authorizing a meeting of an open-ended Commission working group for the week before the Commission's 1981 session. The working group was not able to resolve several difficult issues, including resistance from a few countries to the concept of universal jurisdiction and to any obligation of a state to establish jurisdiction over and to refer for prosecution any alleged offender in its territory whom it does not extradite. Another contentious issue concerned whether or not implementing provisions should be limited to reporting requirements or should include mandatory complaint and investigatory mechanisms. Because the working group did not complete its effort during the 1981 session, the Human Rights Commission agreed to call upon the working group to continue meeting prior to the 38th

session and to accord highest priority to this issue at that session. (Resolution 25 (XXXVII).)

In the General Assembly a Swedish resolution also sponsored by Denmark, Ecuador, Greece, and Iceland reinforced the Human Rights Commission resolution by requesting the Commission to complete as a matter of urgency and highest priority at its 38th session the drafting of a "Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment," with a view toward submitting a draft to the 37th session of the General Assembly. The resolution was approved in the Third Committee on November 3 and adopted by the Assembly on November 25, in both cases without a vote. (Resolution 36/60.)

Convention on the Rights of the Child

In both the Commission on Human Rights and the General Assembly, a separate agenda item was devoted to the question of a convention on the rights of the child. Poland submitted a draft text for such a convention to the Commission in 1978, and a working group of the Commission has been considering the draft since 1979. In 1980 the Commission approved a resolution requesting an open-ended working group to meet for 1 week prior to the 1981 session of the Commission (resolution 36 (XXXVI)), and the General Assembly had endorsed this proposal in resolution 35/131. This latter resolution was adopted by consensus and expressed the General Assembly's view that high priority should be given to the draft convention.

Before and during the 1981 session of the Commission, the working group provisionally adopted five articles of the draft convention, the preamble and two articles having been adopted in previous years. In the U.S. view the original Polish text took a highly selective approach to human rights and was noteworthy primarily for its omissions. The Polish draft omitted several important rights and freedoms, such as family reunification, access to religious education, freedom of movement and residence within the home country, freedom to leave and return to one's own country, and so on. As the appointed spokesman and coordinator for Western delegations during the 1981 session, the United States took the lead in drafting and negotiating many essential revisions and amendments. These revisions and amendments broadened the coverage of the draft convention and added many necessary rights and freedoms, but numerous changes and additions to the Polish draft remained mandatory.

During the General Assembly's 1981 session, Poland introduced in the Third Committee a draft resolution that welcomed ECOSOC's decision to hold a 1-week meeting of the working group before the Commission's 1982 session and requested the Commission to give highest priority to completing the draft convention. The United

States joined in consensus adoption of the resolution on November 25. (Resolution 36/57.)

Science and Technology

In recent years a problem has emerged involving the need to reconcile the potential uses of science and technology to medical ethics, particularly the increasingly available potential for the misuse of psychiatry. According to reports since the early 1970's, for example, that the Soviet Union was manipulating psychiatry as a means of suppressing dissent through the involuntary detention of persons on the grounds of mental ill-health.

The General Assembly agreed at its 35th session to act on a "Draft Code of Medical Ethics" drafted by the WHO. Although the 35th General Assembly was not able to act on the draft, it adopted a resolution requesting ECOSOC to consider a draft code with a view toward submitting it to the 36th General Assembly. The United States consistently has supported UN efforts to address the problem of the involvement of medical personnel in torture and joined in consensus adoption of a Netherlands procedural resolution to consider at the 37th General Assembly the adoption of draft principles of medical ethics relevant to the role of health personnel in protection of persons against torture and other cruel, inhuman, or degrading treatment or punishment. (Resolution 36/61.)

In the General Assembly the question of misuse of psychiatry was incorporated in a two-part resolution dealing with human rights and scientific and technological developments.

Part A of the resolution, introduced in the Third Committee by the Byelorussian S.S.R. on behalf of 25 sponsors, dealt with the broad questions of science and technology in its relationship to international peace and the new international economic order. In its operative section the resolution called upon the Human Rights Commission to give special attention to the question of implementing the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind "in order to promote human rights and fundamental freedoms under conditions of scientific and technological progress." The United States abstained on the resolution, which embraced areas thought to be peripheral to human rights concerns. The General Assembly adopted the resolution on November 25 by a vote of 119 to 0, with 24 (U.S.) abstentions. (Resolution 36/56 A.)

The Third Committee also dealt with a U.K. draft resolution designed to protect the human rights of persons in mental institutions whose supposed derangement stemmed from political views or other non-medical origins. The draft resolution noted the work of the Subcommission on Prevention of Discrimination and Protection of

Minorities in developing a preliminary report on "Guidelines for Determining Adequacy of Grounds for Psychiatric Detention," and "Principles for the Protection of Persons Suffering From Mental Disorder" and requested the Human Rights Commission to continue consideration of the problem and report to the 38th session of the General Assembly through ECOSOC. This second part of the resolution was adopted by the General Assembly on November 25 by consensus. (Resolution 36/56 B.)

Drafting International Instruments

At its 37th session the Human Rights Commission carried forward four projects involving the drafting of separate international instruments. The adoption of one of these, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, was a major achievement of the Commission and of the General Assembly's 36th session.

The 37th session of the Human Rights Commission had before it a resolution adopted by consensus during the previous General Assembly, urging the Human Rights Commission to complete its work on the draft text of the Declaration. The working group, chaired by Mr. Abdoulaye Dieye (Senegal), held 16 meetings to complete consideration of the draft Declaration. Adoption of the working group's report was perhaps the most significant and concrete achievement of the 37th session of the Human Rights Commission.

In the working group the U.S. Representative, Thomas A. Johnson, served as coordinator of the Western delegations and drafted some of the Declaration's key provisions, including Article 6, which set forth numerous rights and freedoms not previously accorded by any international human rights instrument.

The Commission's resolution forwarding the draft Declaration to the General Assembly through ECOSOC was adopted by a vote of 33 (U.S.) to 0, with 5 abstentions. (Resolution 20 (XXXVII).)

In a statement to the Commission following the Declaration's endorsement, Mr. Johnson praised the instrumental role played by the working group chairman, Mr. Dieye, cited the historic nature of the occasion in view of the fact that the Declaration represented the first major UN action concerning religion, and expressed the hope that the Declaration would soon take its rightful place among existing international human rights instruments.

ECOSOC transmitted the draft Declaration to the UN General Assembly with a recommendation for adoption and proclamation. (Resolution 1981/36.)

The Declaration was approved by the Third Committee on November 9 and adopted in the plenary Assembly on November 25, in both instances without a vote. (Resolution 36/55.)

Mr. Novak, in his remarks on October 30, before the Third Committee summarized the U.S. commitment to the Declaration:

We meet to take a long step forward in making more explicit the fundamental values of the Universal Declaration of Human Rights . . . a declaration that is one of the most splendid documents of the human race. . . . This document [the draft Declaration] concerns the center of what is to be human. It concerns the greatest power on this planet—the conscience of each individual person. The Declaration we are considering is an act of fidelity to all those persons of conscience who have entrusted the United Nations with their dreams.

In his 1981 Human Rights Day proclamation on December 4, President Reagan noted:

This year, after nearly 20 years of effort, the United Nations Human Rights Commission and the UN General Assembly have approved a declaration on the elimination of all forms of discrimination based on religion. It begins with words Americans will find familiar, 'Everyone will have the right to freedom of thought, conscience, and religion.' It declares that parents must have the right to teach their children to worship God and that all religions must have the right to teach their faith, to train their clergy, and to observe their customs and holidays.

In the Commission work progressed slowly on a Yugoslav draft declaration dealing with the rights of persons belonging to national, ethnic, religious, and linguistic minorities. As part of a process begun in 1978, each session of the Human Rights Commission has sponsored working groups charged with preparing a text of the draft declaration. During the 1981 session the Human Rights Commission approved without a vote a Yugoslav draft resolution designed to encourage a conclusion to the drafting process. It requested that the 38th session of the Human Rights Commission establish an open-ended working group to continue consideration of the revised draft declaration. (Resolution 21 (XXXVII).)

Two other working groups met during the 37th session of the Commission to discuss the draft Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and a draft Convention on the Rights of the Child. The accomplishments of these working groups are discussed elsewhere in this report. (See p. 188-189.)

Measures Against Ideologies and Practices Based on Terror or Incitement to Racial Discrimination or Any Form of Group Hatred

The question of "Measures to be taken against ideologies and practices based on terror or incitement to racial discrimination or any other form of group hatred" has been on the annual agenda of the Human Rights Commission since 1971. At its 37th session the

Commission considered a draft resolution introduced by the Byelorussian S.S.R. and cosponsored by several Eastern European countries that focused on measures to be taken against nazism, fascism, and neo-fascism. In its principal operative paragraphs the draft resolution called upon all states to take legislative, administrative, and other necessary measures against the revival of these and related ideologies and urged the 38th session of the Commission to consider intensifying measures, including elaboration of a draft declaration. Amendments proposed by Australia, Canada, Greece, and the Netherlands modified the original text by shifting emphasis from nazism, fascism, and neo-fascism to "all totalitarian and other ideologies and practices which are based on or which result in the systematic denial of human rights and fundamental freedoms, racial intolerance, hatred, or terror." Although the United States found the amended version more acceptable than the original, it remained a propaganda exercise which failed to broaden the scope of debate to all other totalitarian ideologies and practices; also the United States did not consider it necessary to pursue the question of a draft declaration. Furthermore it became apparent that references to "ethnic exclusiveness" could be interpreted as an anti-Israeli statement. The resolution was adopted by a vote of 38 to 0, with 1 abstention (U.S.). (Resolution 3 (XXXVII).)

In his explanation of the U.S. vote, Mr. Schifter attacked what he called "semantic traps" designed to ensnare the unwary. By failing to clearly condemn worldwide terrorism, by failing to deal with antisemitism, and by failing to discuss the spread of group hatred from the nazi movement to other political ideologies, the draft had failed to deal with the problem of totalitarianism, and the United States, therefore, abstained.

At the 36th General Assembly, during consideration of the ECOSOC report in the Third Committee, the German Democratic Republic, on behalf of other cosponsors principally from the Eastern European countries, introduced a draft resolution again dealing with measures to be taken against nazism, fascism, and neo-fascism, but essentially reverting to the unamended draft originally considered by the Commission, and ignoring the final compromise reached after lengthy negotiations. Once more Australia, Canada, and other Western countries proposed amendments that moderated the tone of the resolution but failed to remove a major operative paragraph that invited "members to adopt, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and of war propaganda, including nazi, fascist, and neo-fascist ideologies." As a result the number of abstentions was greater than originally anticipated. The resolution was approved in the Third Committee on December 3 by a vote of 125 to 0, with 13 (U.S.) abstentions. After an additional amendment the

resolution was adopted by consensus in plenary session on December 16, but the United States disassociated itself from any "so-called consensus" in a strong explanation of vote. (Resolution 36/162.)

The U.S. Representative, Ambassador Kenneth L. Adelman, expressed the view that the resolution, introduced by totalitarian states, was cynical and propagandistic. The United States could not accept the Orwellian view that government repression of the dissemination of ideas is an appropriate or effective way to oppose totalitarianism. Rather the U.S. believed it could best do so through furthering values of liberty and free speech.

Human Rights of Non-Citizens

At its 1979 session the Commission on Human Rights received and took what it intended to be final action on a study and draft declaration on the human rights of individuals who are not citizens of the country in which they live, prepared by Baroness Elles, who was the Special Rapporteur appointed by the Subcommission on Prevention of Discrimination and Protection of Minorities. At its 1st regular session in 1979, ECOSOC did not accept the Commission's recommendation that the draft declaration be submitted to the General Assembly. Instead ECOSOC decided to transmit the draft declaration to member states for their comments and back to the Commission on Human Rights at its 36th session, so that the Commission might consider it, in conjunction with the comments received, with a view to transmitting a report on the subject to ECOSOC at its 1st regular session of 1980.

At its 1980 session the Commission once again considered the draft declaration. Baroness Elles was present during the Commission's consideration of her draft declaration. At the meeting a resolution was adopted by which the Commission welcomed the decision of ECOSOC to print and widely disseminate the study of Baroness Elles and recommended to ECOSOC that it transmit to the 35th General Assembly the text of the draft declaration together with the comments on the text received from member states, as requested by ECOSOC in 1979. Finally, in its resolution, the Commission recommended that the General Assembly consider the adoption of the declaration, taking appropriate account of the comments received. (Resolution 19 (XXXVI).) The Commission's recommendation was approved without a vote by the 1st regular session, 1980, of ECOSOC. (Resolution 1980/29.)

Having finally received the draft declaration, the 35th General Assembly decided to set up an open-ended working group that was given the task of elaborating a final version of the draft declaration on the human rights of individuals who are not citizens of the country in which they live. This open-ended working group met

throughout the 35th Assembly session but was unable to conclude its task at that session.

During the 1981 session of the General Assembly, the working group continued its efforts under the chairmanship of Ms. Pera Wells (Australia). Slightly more progress was made than during 1980, and the working group was able to adopt two articles, albeit with a few issues outstanding. Nevertheless the crucial definition of "alien" and, hence, the applicability of the draft declaration remained unresolved, and the final position of several countries toward the text depended on the outcome of those open questions. On December 16, on the recommendation of the Third Committee, the 36th General Assembly adopted without a vote a resolution that decided to establish a working group on the draft declaration during its 37th session and expressed the hope that a final version of the text would be adopted by the Assembly at that session. (Resolution 36/165.)

Human Rights of Migrant Workers

Although much of the activity concerning the rights of migrant workers centered around the UN General Assembly, the Human Rights Commission did consider a draft resolution introduced by Algeria and also sponsored by Mexico, Pakistan, the Philippines, and Yugoslavia. The resolution was intended to reinforce the efforts of a working group set up by the 35th session of the General Assembly to elaborate an International Convention on the Protection of the Rights of All Migrant Workers and Their Families. The operative paragraphs expressed support for the working group and hope for completion of the draft during the 36th session of the General Assembly. The United States consistently has taken the position that any discussion of the rights of migrant workers falls under the mandate of the ILO, which also has the necessary technical expertise. In his remarks to the Commission, Mr. Schifter indicated that although the United States agreed that migrant worker issues involved some important human problems, the ILO was the appropriate forum in which to discuss the adequacy of existing migrant worker protections. The United States joined five other Western countries in abstaining on the resolution, which was adopted by a vote of 34 to 0, with 6 (U.S.) abstentions. (Resolution 37 (XXXVII).)

The working group, which had met throughout the 35th session of the General Assembly, also held a 2-week intersessional meeting in May 1981 pursuant to General Assembly resolution 35/198, during which the chairman, Ambassador Gonzalez de Leon (Mexico), held 15 meetings. A series of working papers concerning the proposed convention emerged from these meetings. Although the working group was unable to agree on a report, the working papers were transmitted to member states for consideration prior to the 1981

General Assembly. During the intersessional meetings and all other meetings of the working group, the United States stressed the importance of limiting the definition of "migrant worker" to "foreign nationals lawfully admitted to a host country for the purpose of work" or, in the alternative, formulating separate definitions for "documented" and "undocumented" migrant workers. At the same time the United States emphasized that illegal aliens or undocumented workers must be accorded universally recognized basic human rights.

During the 36th session of the General Assembly, most of the working group meetings were held during a 3-week period, so that the labor and immigration experts from capitals could be present. As the basis for discussion the controversial text submitted by Algeria, Mexico, and others was replaced by one drafted by a group of interested Western European nations (Finland, Italy, Norway, Portugal, Spain, and Sweden). Focusing mainly on the European text, the working group was able to adopt provisionally a lengthy preamble for the proposed convention, as well as several provisions dealing with basic human rights and fundamental freedoms which would be accorded to all migrant workers without regard to immigration status in a particular country. In all of the texts provisionally adopted by the working group, however, no final agreement was reached on much of the language.

The 36th General Assembly considered a draft resolution and a draft decision dealing with migrant workers, both of which were adopted without a vote on December 16. Mexico introduced a draft resolution which reiterated the need to make further efforts to improve the human rights of migrant workers and expressed satisfaction with the substantial progress made by the working group thus far. In addition the resolution called for another intersessional meeting in May 1982. (Resolution 36/160.) Although the United States joined in the consensus adoption, the U.S. Representative, Mr. Johnson, noted the regrettable financial implications connected with the 1982 intersessional meeting and repeated the view that the ILO was the appropriate forum in which substantive discussion of the labor and social welfare rights, as well as the human rights, of migrant workers should take place and in which any new international instruments on those subjects should be drafted. Mr. Johnson also said:

The relatively small number of government delegations that participate in our General Assembly working group cannot hope to match the ability of the tripartite committees of the annual ILO General Conference and the ILO Secretariat to draft international labor instruments reflecting the interests of workers, employers, and governments. With regard to enforcement and implementation of the proposed convention, a convention concluded outside the ILO will not have the benefit of the lengthy experience of the ILO's Secretariat, Committee of Experts, and Conference

Committee on the Application of Conventions and Recommendations in implementing and monitoring labor standards, nor the ILO's machinery for doing so through a detailed reporting system and well-established program of direct contacts with member states.

The draft decision, proposed by Algeria and cosponsored by Barbados, India, Italy, Mexico, Pakistan, Turkey, and Yugoslavia, reaffirmed the need for funding studies in 1982-83 on questions concerning the welfare of migrant workers and their families. The United States joined in the consensus when the draft resolution was modified by a U.K. amendment that these studies be "in accordance with and not duplicating any ILO studies." Again the United States reiterated its concerns over budgetary restraints. (Decision 36/434.)

Regional Arrangements

In the context of the resolution adopted by the 35th session of the UN General Assembly encouraging regional efforts to monitor human rights violations and welcoming Sri Lanka's offer to host a regional seminar for Asia, the Third Committee of the General Assembly, at its 36th session, approved without a vote a similar draft resolution introduced by Bangladesh and eight other sponsors. In its preambular section the resolution encouraged establishment of regional arrangements for the promotion and protection of human rights and welcomed the recent steps in that direction by the OAU. The principal operative paragraph noted the preliminary arrangements for a regional seminar in Sri Lanka and requested the Secretary General to organize a seminar to be held in 1982. Although the United States had some concern over the financial implications of the seminar, these were resolved, and the United States joined in the consensus both on November 30 in the Third Committee and on December 16 in plenary. (Resolution 36/154.)

Subcommission on Prevention of Discrimination and Protection of Minorities

The 34th session of the Subcommission on Prevention of Discrimination and Protection of Minorities met August 17-September 11, 1981, in Geneva. W. Beverly Carter, Jr. acted as the independent expert from the United States.

The principal issues before the Subcommission concerned self-determination in Afghanistan and Kampuchea, human rights in El Salvador, continued emphasis on the need to create a more just international economic system, and an unexpectedly strong call for the creation of the post of High Commissioner for Human Rights.

On the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination, segregation and

apartheid, the Subcommission considered several resolutions of some significance. The Subcommission expressed its support for the establishment of a post of UN High Commissioner for Human Rights to advance the promotion and protection of human rights in the world in a resolution which only the Soviet Union and Romania opposed. The Subcommission also expressed concern for the human rights situations in Afghanistan and Kampuchea, which were imperiled by the presence of foreign troops. In the case of Afghanistan the Subcommission expressed satisfaction at the call for immediate withdrawal of foreign troops and sympathy for the 2 million refugees produced by the war. In that context the Subcommission also called for observance of the principle of non-intervention and non-interference by other countries. In the case of Kampuchea the Subcommission endorsed the relevant UN resolutions on Kampuchea designed to bring about the withdrawal of foreign forces from that country and to enable the people of Kampuchea to determine their own form of government, free from foreign interference.

In regard to the ongoing question of conditions in El Salvador, the Subcommission indicated its alarm over reports of grave deterioration of the human rights situation in that country and the Subcommission's conviction that conditions in El Salvador were not contributing to the possibility of holding truly democratic elections. In the resolution's operative paragraphs, the Subcommission requested the Human Rights Commission to continue its oversight of human rights conditions in El Salvador and asked the Salvadoran political forces to contribute to the initiation of a peaceful settlement.

In other matters, the Subcommission expressed its concern over the human rights protections accorded to the Baha'i religious minority in Iran and postponed consideration of the "Study of Discrimination in Respect of the Right of Everyone to Leave Any Country, Including His Own, and to Return to His Country."

Another issue of importance was the item, "Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism." The Subcommission recommended that the Human Rights Commission authorize sending a delegation to Mauritania at the Government's invitation to inspect the situation in that country. In addition, the Commission was asked to support public relations activities to create greater public awareness of the continued existence of slavery and slavery-like institutions and to mobilize international activities for their eradication. The Commission also expressed concern over prostitution and traffic in persons, including the need to intensify research into the economic, social, psychological, sexual, and emotional causes of prostitution and pimping.

Continuing its emphasis on the problems of apartheid in South Africa, the Subcommission approved a resolution on "the adverse

consequences for the enjoyment of human rights of political, military, economic, and other forms of assistance given to colonial and racist regimes in southern Africa." The Subcommission approved without a vote continuing the process by which the Special Rapporteur collected lists of banks, transnational corporations, and other organizations assisting the "colonial and racist regime in South Africa" and requested the Secretary General to assist the Special Rapporteur in his effort. The Subcommission also approved a measure postponing to the next session consideration of a resolution on the role of the Subcommission with regard to measures to combat racism and racial discrimination.

On another issue the Subcommission expressed its appreciation of the preliminary preparatory work by the Rapporteur, Mrs. Erica-Irene Daes (Greece), on "Guidelines, Principles and Guarantees for the Protection of Persons Detained on Grounds of Mental Ill-Health or Suffering from Mental Disorder" and called for the establishment of a sessional working group at the next session of the Subcommission.

The Subcommission also approved further study of a program of action against child labor, called for continued work by the Special Rapporteur on the new international economic order with an eye toward submission of a draft report to the 35th session of the Subcommission, and recognized the need for better understanding of the circumstances under which military service may be objected to on the grounds of conscience. In response to a request of the Human Rights Commission to the Subcommission to study the question of conscientious objectors with a view toward making recommendations on this issue, the Subcommission requested an analysis of the dimensions of conscientious objections and its interrelationship with the promotion and protection of human rights.

Finally two resolutions addressed the human rights of persons subjected to any form of detention or imprisonment. By a vote of 15 to 3, with 2 abstentions, the Subcommission voted to call upon states to provide information on those who have disappeared, to underscore the rights of families to know the fate of their relatives, and to express its view to the Human Rights Commission of the necessity of extending the mandate of the Working Group on Involuntary Disappearances. A second resolution under that category, which the independent expert from the United States opposed for its selectivity was adopted by a vote of 22 to 1, with 1 abstention. The resolution proclaimed the applicability of the Geneva Convention to the protection of civilians in Arab territories occupied by Israel and called upon Israel to release Palestinian detainees or prisoners.

In addition to the work accomplished by the Subcommission, as summarized in its public report, the Subcommission considered the usual large numbers of private communications alleging violations of

human rights within countries. Acting pursuant to ECOSOC resolution 1503 (XLVIII), and meeting in confidential sessions, the Subcommission identified particular situations which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission.

Status of Women

On Women's Equality Day, August 26, Secretary Haig reaffirmed the continuing U.S. foreign policy goal of improving the status and condition of women worldwide. He stated that priority in U.S. development assistance programs will be given to encouraging the full participation of women in the development process and he added that the United States continues to support the goals of the UN Decade for Women, particularly in the areas of education, employment, and health.

Within the United Nations, the year's significant developments concerning the status of women took place in ECOSOC and in the General Assembly. The Commission on the Status of Women, which meets biennially, did not meet in 1981.

ECOSOC CONSIDERATION

At its 1st regular session of 1981 held April 14–May 8 at UN Headquarters, ECOSOC considered items relative to the activities for the advancement of women and the UN Decade for Women.

Three draft resolutions concerning women's issues were adopted by ECOSOC at the recommendation of its Second (Social) Committee.

Two of the resolutions were approved in Committee and adopted by ECOSOC without a vote. The first was a draft introduced by France on April 29 entitled "Social indicators applicable to studies on women." (Resolution 1981/11.) The U.S. Representative, Mrs. Nancy Reynolds, noted that it would be desirable to examine further the possibility of computerizing statistical data that could be invaluable in identifying women's needs, awareness of which had increased as a result of efforts to integrate women more effectively in development.

The second resolution, also introduced by France, concerned the International Research and Training Institute for the Advancement of Women. (Resolution 1981/13.) It acknowledged the conclusion of an agreement between the Government of Dominica and the United Nations, which established the Institute in Santo Domingo, as well as the appointment of a Director. Mrs. Reynolds expressed the pleasure of the United States that the Institute would be established per-

manently and that a Director had been appointed. She said that it was now a matter of urgency that the date and place of the next session of the Board of Trustees be set.

The final resolution was introduced by Venezuela on behalf of the Group of 77, and was entitled "Implementation of the Program of Action for the Second Half of the UN Decade for Women." The resolution was adopted by a recorded vote of 47 to 1 (U.S.); with 5 abstentions. (Resolution 1981/12.) The United States could not endorse the Program of Action on the basis of certain paragraphs linking Zionism to racism and proposals for establishing a consultative role for the PLO in assisting Palestinian women.

GENERAL ASSEMBLY

The 36th General Assembly adopted six resolutions and one decision under the agenda items "UN Decade for Women: Equality, Development and Peace," and "Status of the Convention on the Elimination of All Forms of Discrimination Against Women." The Third Committee considered and approved the resolutions and decision at 16 meetings between November 5 and December 3. The Assembly in plenary session adopted the resolutions and decision, also without a vote, on December 14.

The first resolution, introduced by Algeria on behalf of the Group of 77, was approved by the Committee without a vote on November 24. The resolution, *inter alia*, called upon member states to continue taking the measures necessary to achieve substantial progress in the implementation of the relevant recommendations of the Program of Action for the Second Half of the UN Decade for Women. These actions should result in the complete integration of women into the development process and in the realization of the goals of the UN Decade for Women. (Resolution 36/126.)

On November 17 France introduced the second resolution, which was approved without a vote on November 19. The resolution emphasized the necessity of integrating women more fully into the development process. In commenting on this resolution in Committee, Mrs. Reynolds pointed out that development planning that does not take women into account, both as agents and as beneficiaries, cannot be successful. (Resolution 36/127.)

Also on November 17 Argentina introduced a resolution similar to the ECOSOC resolution relative to the establishment of the International Research and Training Institute for the Advancement of Women. The resolution also urged member states to consider financial or other cooperative contributions to the Institute. (Resolution 36/128.)

The fourth resolution, sponsored by the Netherlands and seven other countries, concerned the Voluntary Fund for the UN Decade

for Women. It was approved in Committee without a vote on the same day. The resolution expressed appreciation for the voluntary contributions so far pledged by member states and decided that the Fund should continue its activities beyond the UN Decade for Women, which terminates in 1985. Finally the resolution deferred until the 39th General Assembly a decision on relocating the Fund within the Center for Social Development and Humanitarian Affairs. (Resolution 36/129.)

Speaking in Committee on this resolution, Mrs. Reynolds said the United States was a major contributor to the Fund, and urged all nations, particularly those who professed their commitment to women's rights, to contribute to the Fund and its work. She continued by saying that the United States believes the work of the Fund is so vital, and the time remaining so short, that no chances should be taken to disrupt its work by relocation of its headquarters. The contribution made by the office at UNDP headquarters in screening and monitoring projects had been essential to the Fund's successes. The United States did not believe the Fund could operate as efficiently if it should be relocated to Vienna.

On November 17 Sweden introduced a draft entitled "UN Decade for Women: equal rights to pursue a career." The draft, cosponsored by 23 other countries including the United States, was approved without a vote on November 27. The resolution concerned equal rights to work of diplomatic personnel and accompanying spouses. Among other things, it invited governments in host countries to consider granting, when appropriate and to the extent possible, working permits for spouses accompanying members of diplomatic missions or consular posts and staff members of intergovernmental organizations. (Resolution 36/130.)

The sixth resolution, also introduced by Sweden on November 17 and approved on November 23 without a vote, concerned the status of the Convention on the Elimination of all Forms of Discrimination Against Women which had been adopted at the 34th General Assembly. The United States had become a signatory to the Convention on July 17, 1980. The resolution noted that the Convention entered into force September 2, 1981, following the ratification or accession by 20 member states. The resolution also invited all states which have not yet done so to become parties to the Convention, and requested the Secretary General to report further on the status of the Convention to the 37th session of the General Assembly. (Resolution 36/131.)

On November 17 the German Democratic Republic introduced a draft resolution entitled "Draft Declaration on the Participation of Women in the Struggle for the Strengthening of International Peace and Security and Against Colonialism, Apartheid, All Forms of Foreign Domination." The draft was cosponsored by 29 other coun-

tries. It was considered at length during the course of seven meetings.

Speaking in Committee, the U.S. Representative, Thomas A. Johnson, said that his delegation's position from the outset had been that the draft declaration needed radical surgery, and the amendments offered by the United States were an attempt to arrive at a balanced text reflecting concerns of women worldwide. On procedural grounds he drew attention to the fact that it had taken 20 years to consider thoroughly and to adopt the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The only purpose of his country's amendments was to establish a rational procedure for the discussion of the draft declaration. The United States took the position that the draft declaration must be dealt with in the traditional multilateral negotiations in addition to being considered by distinguished international forums, such as the Commission on the Status of Women, before its consideration by the General Assembly.

On December 3 the Ethiopian Representative proposed that the meeting be suspended so that sponsors of the draft declaration could consult in regard to steps to be taken. After a brief suspension he introduced a draft decision that would defer until the 37th General Assembly consideration of the draft declaration. The decision was approved by the Committee and adopted without a vote in the plenary Assembly on December 14. (Decision 36/428.)

SPECIALIZED AGENCIES AND THE IAEA

World Bank Group

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND INTERNATIONAL DEVELOPMENT ASSOCIATION

During the fiscal year of 1981, ending June 30, 1981, World Bank (IBRD) membership increased to 139 with the addition of Djibouti, Dominica, Seychelles, and Zimbabwe. The membership of the International Development Association (IDA) was increased to 125 by the membership of Djibouti, Dominica, Solomon Islands, and Zimbabwe.

After serving as President of the Bank Group for 13 years, Robert S. McNamara retired on June 30, 1981, and was succeeded by S. W. Clausen.

Resources

The Sixth Replenishment of IDA (IDA VI) became effective on August 24, 1981, when the United States agreed to contribute \$3.24 billion (27% of the \$12 billion replenishment), subject to obtaining the necessary congressional appropriations. Although Congress authorized the full amount requested for IDA VI, it stipulated that the U.S. contribution be stretched over at least 4 years, rather than the 3 years (fiscal years 1981-83) envisaged in the replenishment agreement. Because the U.S. share of IDA VI was 27%, the stretchout will seriously impact IDA lending levels.

The Omnibus Budget Reconciliation Act of 1981 also contained authorization for U.S. participation in the World Bank's \$40 billion General Capital Increase (GCI). Under the GCI, IBRD lending is expected to grow at about an 11-12% annual rate, from \$9.6 billion in fiscal year 1982 to \$14.6 billion in fiscal year 1986. The U.S. share of the GCI was 22%, or \$8.8 billion. Of the \$8.8 billion, only 7.5% (\$658 million) is to be paid in, with the remainder in the form of callable capital guarantees. The United States plans to subscribe to its shares of the GCI over 6 fiscal years, 1982-87.

The IBRD's borrowings, which constitute the principal source of funds for financing its lending operations, amounted to \$5,068.8 million in fiscal 1981. The major currencies borrowed were Deutsche marks, U.S. dollars, Japanese yen, and Swiss francs.

Lending Programs

During fiscal 1981 the Bank committed \$8,809 million in loans in support of 140 projects in 50 countries, a 15% increase over the WBFY 80 level. IDA approved interest-free credits amounting to \$3,482 million for 106 projects in 40 countries, a decline of 9.3% from fiscal 1980.

World Bank commitments were distributed by income group as follows:

| Per Capita GNP | Percent of Total |
|-------------------|------------------|
| up to \$370 | 35 |
| \$371-\$680 | 17 |
| \$681-\$1,170 | 11 |
| \$1,171-\$1,895 | 29 |
| more than \$1,895 | 8 |

Agriculture and rural development continued as a sector receiving the largest amount of lending with 31% of total commitments. The World Bank has attempted to address broad development objectives, focusing on institution building and improving the productivity of the rural and urban poor.

Total IBRD and IDA commitments during fiscal 1981 had the following sectoral composition:

| Sector | U.S. Dollars (Millions) | Percentage |
|---------------------------------------|----------------------------|------------|
| Agriculture and Rural Development | 3,763 | 31 |
| Development Finance Companies | 1,113 | 9 |
| Education | 735 | 6 |
| Energy | | |
| Oil, Gas, and Coal | 659 | 5 |
| Power | 1,323 | 11 |
| Industry | 886 | 7 |
| Non-project and Structural Adjustment | 1,012 | 8 |
| Population, Health, and Nutrition | 13 | — |
| Small-Scale Enterprises | 229 | 2 |
| Telecommunications | 329 | 3 |
| Transportation | 1,063 | 9 |
| Urbanization | 501 | 4 |
| Water Supply and Sewerage | 535 | 4 |
| Other | 131 | 1 |

Projects approved during fiscal 1981 had the following regional distribution:

Total Loans and Credits

| Region | Number | U.S. Dollars (Millions) |
|---------------------------------------|--------|----------------------------|
| Eastern Africa | 40 | 874.1 |
| Western Africa | 35 | 938.3 |
| East Asia and Pacific | 35 | 2,358.4 |
| South Asia | 38 | 2,531.2 |
| Europe, Middle East, and North Africa | 45 | 2,435.8 |
| Latin America and Caribbean | 53 | 3,153.2 |

Actual disbursements on IBRD and IDA loans totaled \$6,941 million in fiscal 1981, an increase of 20.2% over the 1980 level. Part of the growth of disbursements was due to recent increases in non-project lending.

Seven structural-adjustment loans, totaling \$717 million, were approved during fiscal 1981. Lending for structural adjustment, initiated in 1980, was reviewed by the Bank's Executive Board during 1981. The review concluded that the Bank operations in this area can be helpful in accelerating policy reforms and stimulating institutional changes.

INTERNATIONAL FINANCE CORPORATION

The International Finance Corporation (IFC) assists the economic development of its developing member countries by making loans and equity investments in productive private enterprises; by bringing together investment opportunities, domestic and foreign private capital, and experienced management; and by helping to develop local and regional capital markets and promoting privately owned development finance corporations. Projects are selected on the basis of their useful contribution to economic development and financial viability.

Membership in the IFC rose to 119 during fiscal 1981 with the admission of Djibouti, Dominica, People's Republic of the Congo, Seychelles, Solomon Islands, and Zimbabwe. During 1981 the United States completed its subscription to the \$540 million IFC capital increase, which was approved in 1977 by the IFC.

Expansion of the Corporation's activities continued in fiscal 1981. Fifty-six projects were approved, with a total equity and loan commitment value of \$811 million. This represents an increase of 19% over the previous year's level. Investments were undertaken in 34 countries, including 6 countries for the first time.

International Monetary Fund

Membership in the International Monetary Fund (IMF) had risen to 142 countries by mid-1981 with the admission of Vanuatu. Antigua and Barbuda, Belize, Bhutan, Hungary, and Poland also had applied for membership by the end of the year. Following the Seventh General Review of Quotas, the total of member country quotas increased from Special Drawing Rights (SDR) 40 billion to SDR 60 billion. The U.S. quota SDR's of 12.6 billion represents about 21% of the total of all quotas and largely determines U.S. voting strength in the Fund.

Member country economies, particularly those of the non-oil LDC's, were under increasing strain in 1981. The key elements in

enabling the Fund to continue to play an active role in the adjustment process were both the increase in IMF resources through quota increases and external borrowing and the development of the Fund's policy of enlarged access to these resources for member countries. During the year ending April 30, 1981, the total volume of resources provided by the funding amounted to SDR 9.5 billion and net lending amounted to SDR 1.9 billion, marking a reversal of the trend of net repayments during the preceding 3 years. In return the IMF's Interim Committee at its September 1981 meeting stressed that member countries had to implement strong and comprehensive adjustment policies to reduce the present unsustainable current account imbalances.

ENLARGED ACCESS POLICY

On March 11, 1981, the IMF Executive Board adopted a policy of enlarged access to the Fund's resources until the Eighth General Review of Quotas becomes effective. The new guidelines allow a member to borrow up to 450% of its quota over a 3-year period, up to 150% of quota in any given year. The expanded quota limits and longer adjustment periods make possible an emphasis on supply-side policies aimed at structural adjustment. A major objective of these new guidelines, combined with the greater resources provided by the Seventh General Quota Review increase, is to promote adjustment by responding to the needs of members facing payments imbalances and financing needs in excess of traditional quota-based financing limits.

QUOTA INCREASES

Following the quota increase stemming from the Seventh General Quota Review, which came into effect December 1980, no additional general increases are expected at least until after the Eighth General Quota Review, tentatively scheduled for late 1983.

The IMF's Interim Committee reiterated the principle that the Fund should rely on quota subscriptions as the basic source of resources for its operations and agreed that the Eighth General Review of Quotas should be expedited. Noting, among other factors, that the present quotas of a significant number of members do not reflect their relative positions in the world economy, the Committee also reaffirmed that the occasion of the Eighth General Review should be used to remedy the situation within the context of a general enlargement of the Fund.

BORROWING

To finance the growing commitments under its enlarged access policy, the Fund reached a borrowing arrangement in May 1981 with the Saudi Arabian Monetary Agency (SAMA), which has agreed to lend the Fund up to SDR 4 billion in the first year of the commitment period and an additional SDR 4 billion in the second year. A further loan commitment for a third year is a possibility. In addition the Fund has concluded agreements with 16 countries for SDR 1.3 billion in financing over a commitment period of 2 years to be provided directly to the IMF or through the Bank for International Settlements. The foregoing will complement existing borrowing agreements under the General Arrangement to Borrow, the Oil Facility, and the Supplementary Financing Facility. Finally the Fund also is examining factors involved in borrowing from private markets.

SPECIAL DRAWING RIGHTS

On December 11, 1978, the Board of Governors of the IMF decided, in an effort to promote the role of the SDR in the international monetary system, to resume allocation of SDR's at an annual rate of SDR 4 billion for 3 years ending 1981. The Fund now has allocated to its members a total of SDR 21.4 billion in 6 allocations. Member country holdings represented 4.8% of all non-gold reserves at the beginning of 1981. During the course of 1981 the IMF Executive Board considered the need for further SDR allocations beginning in 1982. The United States, among others, opposed a new allocation as potentially inflationary and the majority necessary among IMF members for a favorable decision on allocations did not develop.

Other major developments during 1980-81 relating to SDR's include (1) a reduction in the valuation basket of the SDR from 16 currencies to 5 currencies; (2) an increase in the rate of interest paid on the SDR from 80% to 100% of the combined interest rate on government securities of basket currencies; and (3) the elimination of a minimal SDR holding requirement for member countries.

DRAWINGS

In the year ending April 1981, 32 countries made new commitments with the IMF totaling SDR 9.5 billion under standby and

extended arrangements, while actual purchases, all made by developing countries, totaled a record SDR 4.9 billion. Outstanding compensatory financing purchases amounted to an additional SDR 2.6 billion. At the same time the Compensatory Financing Facility was expanded to take into account fluctuations in the cost of a country's cereal imports as well as shortfalls in export receipts.

The Trust Fund made its final loan disbursement in March 1981, marking the completion of 5 years of operations. Total loans outstanding to 55 members at the close of this period 1980-81 amounted to SDR 2.9 billion. Part of future loan repayments to the Trust Fund will be used for further concessional assistance to low-income developing countries and to finance a newly created supplementary financing facility subsidy account designed to reduce the cost of borrowings from that facility by low-income member countries.

Food and Agriculture Organization

The UN Food and Agriculture Organization (FAO) was founded in 1945, culminating a U.S. Presidential initiative. It started with 30 members. In 1981 Bhutan, Equatorial Guinea, Saint Vincent and the Grenadines, Tonga, and Zimbabwe were elected as new members, bringing the total membership of FAO to 152 member nations.

In 1981 the FAO continued to work within the policy guidelines proposed by its Director General, Edouard Saouma (Lebanon), and endorsed the 1980-81 biennium by the FAO Conference and by its Council, including the United States. The guidelines called for (1) greater emphasis on assisting developing member nations in their efforts to obtain financial resources for investment in food and agricultural production; (2) continuation of the Technical Cooperation Program (TCP) to give FAO the capability to rapidly respond to urgent, short-term needs of member nations; (3) emphasis on decentralization from Headquarters to the country level, including the gradual appointment of FAO country representatives, to forge closer contacts between member nations and the Organization and to bring FAO closer to concrete programs at the country and rural levels; (4) a revision in programs to move the emphasis away from theoretical, long-term studies toward more practical concrete actions at the country level, including training opportunities in rural areas; and (5) reduction in the number of meetings, publications and documents, and staff positions of FAO.

FAO GOVERNING CONFERENCE

The 21st FAO Conference, held November 7-26, 1981, in Rome, supported the Organization's performance in the 1980-81 biennium.

The FAO Program of Work for 1982-83 was approved, and it continues the initiatives of 1980-81. The Program places increased emphasis on problems of African countries, on increasing agricultural production in the developing countries, and on agricultural energy problems. The U.S. delegation, headed by Deputy Secretary of Agriculture, Richard Lyng, supported these proposals. The Conference approved a budget of \$366.64 million for the 1982-83 biennium. The United States and other major contributors opposed this level because it represents a real program increase (about 6%) considered excessive during a time of economic stringencies. The United States had advocated zero real growth in the budgets of international organizations. In the vote on the budget for 1982-83 the 14 countries either voting against or abstaining on the budget pay 64% of total assessed contributions.

In addition to electing five new members to FAO, the Conference reelected Director General Edouard Saouma to a second 6-year term, and elected member nations to fill expiring terms on the 49-member Council. It also appointed Dr. M. S. Swaminathan (India) to a 2-year term as Independent Chairman of the FAO Council. The Conference adopted resolutions supporting the key role of forestry in rural development, urging the replenishment of concessional resources for food production and agricultural development, requesting a feasibility study and a draft international convention on the establishment of an international bank of plant genetic resources, and authorizing FAO to continue its role in commemorating World Food Day on an annual basis. The Conference also adopted a proposed World Soil Charter outlining and recommending principles and guidelines for rational land use management and soil conservation. Through its various programs and activities, FAO strives not only to analyze, highlight, and recommend measures relating to the principal issues in world food and agriculture—both short and long-term—but also to persist in its efforts to assist member countries in their struggle against hunger and poverty.

FAO has changed from being a data collecting and disseminating organization with a modest technical assistance role to being more of an international development assistance institution operating across a broad spectrum of food and agricultural activities. Its financial resources—assessed and extra-budgetary—totaled over \$852 million for the 1980-81 biennium and will be about \$1 billion for 1982-83. This conversion of FAO into a vehicle for the transfer of resources from the developed to the developing countries has occurred as a consequence of the rapid growth in extra-budgetary resources, primarily from UNDP and Trust Funds, and the interest of the last three Directors General, who have been sympathetic toward the developing countries' desire for greater FAO involvement in agricultural development in the Third World. The United States generally

has been supportive of this changed role for FAO and has found FAO developmental initiatives—such as preventing food losses, improving food security, controlling animal and plant disease, and increasing food production—to be consistent with U.S. foreign policy goals.

The United States has supported FAO's emphasis on investment, decentralization, and practical action at the country level. In addition, the United States has endorsed FAO's training activities and the high priority assigned to the agricultural problems of Africa. Consistent with the basic human needs approach which underlies its foreign assistance programs, the United States has urged FAO to give higher priority to nutrition improvement, animal disease control, tropical forestry, prevention of food losses, and food security. It has especially endorsed FAO's efforts to increase food and agricultural production, with emphasis on the low-income, food-deficit countries, focusing on developing food production research and on protecting croplands against erosion, depletion, and degradation. The United States has also stressed the need for adequate food distribution systems and for promoting rural employment. At the same time, it has emphasized the need for a careful balancing of programs against available resources and moderation in budgetary growth.

FAO MEETINGS

In addition to the FAO Conference, the United States participated in a number of FAO meetings in 1981, the most important of which were the 79th, 80th, and 81st sessions of the FAO Council. The 79th session in June provided the opportunity to review a preliminary version of the Director General's proposed Program of Work and Budget for 1982–83. The 80th session, convened just before the Conference in November, dealt largely with preparation needed for the Conference. The 1-day 81st session, held following the Conference, decided on appointments to the major committees that report to the Council. The United States again was appointed to the Program Committee and the Committee for Constitutional and Legal Matters.

Other meetings in 1981 in which the United States participated included the 40th and 41st sessions of the FAO Program Committee, meetings of the Committees on Agriculture, Fisheries, Commodity Problems, Constitutional and Legal Matters, and World Food Security, and of the Commission on Fertilizers, as well as meetings of a number of intergovernmental groups on commodities, including oilseeds, jute, rice, and hard fibers.

U.S. INTERESTS

Four major U.S. interests are served by our participation in FAO. First, the United States favors programs for the protection of plant

and animal life against damage and destruction by such enemies as African Swine Fever (ASF), trypanosomiasis, desert locust, aftosa, and other diseases which do not respect national boundaries. ASF and aftosa, in particular, periodically have menaced livestock herds in the United States, and FAO's control activity in the Western Hemisphere and elsewhere has played a major role in preventing ASF outbreaks in the United States. The active research program of the FAO/IAEA Joint Division also includes Medfly work with bearing on the recent control efforts in California. Second, FAO serves as an important forum for member governments to discuss food and agriculture matters of common interest. Meetings under FAO auspices on such subjects as supply, demand, and price problems in many commodity areas; world food security; food standards; fertilizers; etc., provide opportunities for U.S. representatives (both from the public and private sector) to advance U.S. objectives. Third, FAO's developmental activity aimed at increasing agricultural production and improving nutrition is complementary to, and supportive of U.S. bilateral efforts. FAO activity in countries where the United States has no AID missions can make valuable contributions to U.S. development goals at little or no cost to the foreign assistance budget. Fourth, FAO collects and analyzes a vast amount of statistical information and annually provides several thousand publications and documents to the U.S. Government for wide domestic distribution.

WORLD FOOD SITUATION

According to FAO's estimate world food production increased by 2.5% in 1981, an improvement over the 2 previous years. Total crop production increased between 4% and 5% and livestock production, by more than 1%. Production of non-food crops is expected to register an increase of over 6%. This recovery has been experienced by both developed and developing countries, although the regional picture within these aggregates is diverse.

At the 79th session of the FAO Council held in June 1981 it was recognized that the developing countries as a whole had increased their food production in the 1970's by an average annual rate of 3.3%. The Council also noted that several individual countries had done even better, reflecting the increased importance that they had attached to food production. However, it was agreed that many countries still are not giving sufficiently high priority to food and agricultural development, either in terms of long-term investment or of current budgetary allocations.

In the developing market economies of the Far East and Latin America food and agricultural production both registered increases of 3-5% or more. In the Near East, however, food and agricultural

production is estimated to have shown only a small increase over 1980 levels. The Asian centrally planned economies experienced a recovery from 1980, but 1981 was no better than an average year for them as a group.

The developing countries of Africa, which had improved their performance in 1980, experienced a disappointing year, with the increase in production only marginally above the inadequate rate for the 1970's and significantly lower than their population growth rate of about 3%. The situation in Africa was particularly uneven in 1981, with some countries having had favorable crop-growing conditions, while others experienced adverse conditions. Africa remained a source of grave concern with regard to the security of its food supplies and nutrition status of its population.

Improved crop conditions in 1981 were reflected in a modest decline in the number of countries suffering from local or nationwide food shortages. As of mid-September 1981 the FAO Early Warning System reported that 22 countries were suffering food shortages, compared to 31 in May and 34 in September 1980. Of the 22, 18 were in Africa, 3 in the Far East, and 1 in Latin America.

With the expected recovery in world cereal production in 1981, some replenishment of cereal stocks is foreseen. As a result of the more favorable supply position, carryover stocks at the end of the season could amount to 16% of annual consumption, compared to 14% last year.

It is estimated that shipments of cereals food aid, which account for the bulk of food aid, fell to 8.6 million tons in 1980-81. Reduced shipments by the United States, Canada, and Japan were offset only partly by increases from other donors such as Argentina, Australia, the EC, and Norway, and new contributions from Austria and Spain. Total allocations of food aid in cereals for 1981-82 currently are estimated at 8.9 million tons. Low-income, food-deficit countries have continued to receive priority in the allocation of food aid—about 80% over the past 5 years—but with the stagnating or even declining level of food aid, allocations to these countries also have declined.

The United States continues to be the largest donor of bilateral agricultural development assistance. In addition, during 1980-81, the United States distributed \$1.7 billion in food aid. The United States pledges annually 125,000 tons of cereals aid to the 500,000-ton International Emergency Food Reserve (IEFR) and 4.47 million tons of food aid to the Food Aid Convention (FAC).

Agricultural exports from developing countries continue to suffer from the overall depressed market conditions, which restricted import demand considerably. The real value of agricultural exports of developing countries declined by 3% and the share of developing countries in world agricultural export earnings declined by 28%. Their agricultural terms of trade worsened further in 1981. The

LDC's agricultural export difficulties drew particular attention from the Committee on Commodity Problems (CCP) meeting in September, which underlined the need to inhibit the growth of protectionism and to open up the markets for agricultural products. It also emphasized the scope for developing countries to promote trade in agricultural products among themselves.

On December 5, 1980, the United Nations General Assembly had proclaimed the Third Development Decade starting January 1, 1981, and adopted the International Development Strategy (IDS), which has been integrated closely into FAO programs and supported by the United States. Food and agriculture are prominent in the new strategy, reflecting a greater awareness of the importance of this sector. The IDS calls for an expansion of agricultural production in developing countries as a whole, at an average annual rate of at least 4%, to meet the nutritional needs of the populations, enlarge the base for industrialization and economic diversification, and redress current imbalances in world production. The IDS calls on developing countries to continue to strengthen the formulation and implementation of food and agricultural development plans with the framework of their national development priorities and programs.

WORLD FOOD SECURITY

At the 79th FAO Council most developing countries agreed with the Secretariat's assessment that adequate food supplies and food security were still lacking for many developing countries, particularly the 32 lowest income countries. Most countries, including the United States, indicated that they accepted the five points in the FAO Plan of Action for food security and in some instances had taken related national measures. Council members also expressed hope that the food aid target of 10 million tons of cereals and the World Food Program target of \$1 billion for the 1981-82 biennium could be achieved, but differed as to whom should supply the additional resources needed. Members agreed that it would be desirable for the International Emergency Food Reserve (IEFR) of 500,000 tons to become more "predictable" and attain its target level, but differed on how to effect those goals. A large number of delegates urged "new donors" to come forward, and several specifically suggested that contributions be made by OPEC and centrally planned economies.

Although sympathetic to the proposal that the IEFR needs to become more predictable, the United States stated its view that conversion of IEFR into a legally binding treaty would be counterproductive. The United States expressed its opinion that bilateral assistance may be coordinated, or indeed channeled, in conjunction with the programs selected by the IEFR. The alleviation of hunger in emergencies may be accomplished effectively in this manner.

The 6th session of the Committee on World Food Security concluded that the world food situation was precarious but not critical. The United States questioned whether a food crisis situation existed, pointing out that (1) 1981 crop areas in exporting countries were being increased and winter crops were generally faring well; (2) conditions were highly favorable in countries such as India, Bangladesh, and Indonesia; and (3) poor harvests in 1981 were concentrated to a large extent in the developed countries, while cereal production actually rose in the developing countries. The United States outlined the elements of the new Administration's farm legislation proposals and recent action related to food security that would (1) maintain and increase growth in the productivity of the U.S. agricultural sector and in the level of agricultural exports, (2) continue the farmer-owned reserve, (3) reauthorize for 4 years Public Law 480, and (4) establish a national food security reserve. The United States urged those countries that had not done so already, including major grain exporters and developed importing countries, to establish national grain reserves.

At the June 1981 meeting of the International Wheat Council (IWC), the United States told the other members that it was not prepared to support the IWC's draft of a new Wheat Trade Convention (WTC) to establish an international grain reserve system because, in its view, national grain reserves that respond to market factors are preferable to the IWC proposal. The IWC draft also contained specific provisions unacceptable to the United States, such as preferential access to reserves by less developed countries and other IWC members in times of market stress, and provisions for financial assistance to less developed countries to meet their reserve commitments. The United States made clear that it would be willing to consider fresh approaches to the concept of a new WTC, which would take into account the merits of nationally held, market-responsive reserves.

WORLD FOOD PROGRAM

Since it began operating in 1963 the World Food Program (WFP), sponsored jointly by the United Nations and the FAO, has specialized in using food aid for social and economic development and for emergency relief. The WFP's governing body, the Committee on Food Aid Policies and Programs (CFA), meets twice a year to review developments in food aid policies and programs and to review WFP projects.

The 11th session of the CFA in May 1981 set the stage for three items which were discussed at greater length in the fall session: (1) policy issues related to emergency operations, (2) development of the International Emergency Food Reserve (IEFR) into a legally binding convention, and (3) the pledging target for the 1983-84 biennium.

The United States expressed concern at the increased demand for emergency food aid. It noted that more than two-thirds of the total emergency food aid commitments in 1980 went for refugees which was especially tragic in human terms because many of the displaced persons were victims of aggression from their own neighbors. The United States again reaffirmed its commitment for 1981 to the IEFR of 125,000 metric tons and called for increased participation from present donors and for other countries to contribute according to their means. It called for a further tightening of the guidelines for allocating resources for development aid projects to ensure that they go to those countries that are truly the most needy and that are committed to developing policies to improve nutritional status, especially in rural areas, increasing food production capability, and reducing population growth rates. The WFP Secretariat noted that policy, criteria, and procedures regarding emergency operations would be on the agenda of the 12th session of the CFA.

During discussions on the IEFR and emergency operations at the 12th session of the CFA in October, Canada proposed that a small standing committee of Permanent Representatives be formed. This committee would advise the WFP Secretariat on recommendations to be made to the FAO Director General concerning the merit of individual emergency requests by applying explicit criteria. After other proposals were made, the Secretariat was requested to prepare a short, action-oriented paper for further debate at the 13th session in 1981.

Another issue discussed during the year regarding the IEFR was the FAO Director General's proposal to establish a legally binding convention that would include pledges to IAFR. The 10th CFA had asked the WFP Secretariat to prepare an evaluation of this proposal. The analysis explored the following options: (1) institute a legally binding convention while permitting voluntary pledges from those countries not able to become parties to such a convention; (2) commit or earmark to the IEFR specified quantities of food under the Food Aid Convention and allow non-FAC members to make voluntary contributions; and (3) convert current annual contributions into biennial pledges made in intervening years when a WFP pledging conference is not held.

The United States opposed the concept of a legally binding convention but was willing to consider biennial pledges to the IEFR as a means to improve better forward planning. A decision on the subject was deferred until the 12th session. At the 12th session the proposal for biennial pledges was adopted with the understanding that the subject of a legally binding convention would be dropped.

The decision on a pledging target of \$1.2 billion for 1983-84 was made at the 12th session of the CFA, where it was approved unanimously. Many donors, including the United States, expressed

doubts, however, that the target was realistic as only 85% of the 1979-80 target had been achieved, and at that time pledges for the 1981-82 biennium amounted to only 72% of the targeted amount. The Pledging Conference for the 1983-84 biennium was scheduled for early 1982.

After lengthy debate a proposed Vietnamese irrigation works project, which already had been reduced from \$27 million to \$5.3 million, was deferred for further discussion at the 13th session of the CFA.

International Fund for Agricultural Development

During 1981, the fourth year of its operation, the International Fund for Agricultural Development (IFAD) formally and provisionally approved loans totaling \$353 million for 30 agricultural and rural development projects. In addition technical assistance grants totaling about \$20 million also were approved during the year. Of the 30 projects approved in 1981, 12 were in Africa, 11 in Asia and 7 in Latin America. The projects continued to concentrate on increasing the production of food crops, and also were supported by other measures for improving the conditions of life of the poor. Eight of the food crop projects were supplemented by a cash crop component and three, by a livestock component. All of the projects recognized the need for institutional development to support productive activities, including strengthening the ministry or agency responsible, training, and development of farmer organizations and cooperatives. More than a third of the projects sought explicitly to improve the storage and marketing of the increased production expected as a result of the project. More than half provided credit for seasonal inputs or on-farm investments as the principal or an important means for achieving the increased production.

Projects Financed by IFAD in 1981
(Amount in millions of U.S. dollars)

| Country | Type of Project | Loan Amount† |
|----------------|--------------------------------------|--------------|
| *Bangladesh | Rural Development | 23.0 |
| Benin | Rural Development | 14.0 |
| *Bolivia | Agricultural Development | 14.0 |
| *Botswana | Agricultural Development | 7.6 |
| Burundi | Rural Development | 7.0 |
| *China | Livestock Development | 35.0 |
| Colombia | Rural Development | 8.0 |
| *Gambia | Agricultural Development | 4.7 |
| *Grenada | Artisanal Fisheries | 1.5 |
| *Haiti | Agricultural Development | 13.8 |
| India | Irrigation | 25.0 |
| *Indonesia | Land Development | 34.0 |
| *Jordan | Agricultural Development & Credit | 10.6 |
| *Liberia | Agricultural Development | 8.2 |
| *Malawi | Rural Development | 10.0 |
| *Mauritius | Agricultural Development | 6.0 |
| Nepal | Agricultural Development | 11.2 |
| *Nicaragua | Rural Development | 11.0 |
| Pakistan | Agricultural Development | 12.9 |
| Panama | Agricultural Credit | 8.5 |
| Paraguay | Rural Development | 3.9 |
| Philippines | Livestock Development | 8.1 |
| *Rwanda | Rural Development | 10.3 |
| Sierra Leone | Agricultural Development | 6.0 |
| Sri Lanka | Agricultural Development | 8.0 |
| *Uganda | Agricultural Rehabilitation | 19.0 |
| *Upper Volta | Rural Development | 14.6 |
| *Western Samoa | Livestock Development | 1.6 |
| Yemen, PDR | Agricultural Development | 6.0 |
| Zambia | Agricultural Development | 11.0 |
| TOTAL | | 353.6 |

* Projects initiated by IFAD; others were selected from the projects of the Fund's cooperating institutions. Of the 17 IFAD-initiated projects, 8 also had financial participation from other institutions.

† In addition technical assistance of approximately \$4.30 million (Gambia \$.5, Haiti \$1.4, Rwanda \$1.0, Uganda \$1.0, and Upper Volta \$.4) was provided for these projects on a grant basis.

With the approval of the 30 additional projects in 1981, IFAD will have committed a total of about \$1.22 billion for 90 projects in the first 4 years of its operations, as shown in the following table.

Regional Distribution of IFAD Loans: 1978-81
(Amount in millions of U.S. dollars)

| Region | 1978 | | 1979 | | 1980 | | 1981 | | Total | |
|---------------|------------|--------------|------------|--------------|------------|--------------|------------|--------------|------------|--------------|
| | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount | No./Amount |
| Africa | 2 | 15.8 | 10 | 122.2 | 12 | 160.9 | 12 | 118.4 | 36 | 417.3 |
| Asia | 5 | 82.5 | 8 | 204.8 | 10 | 149.7 | 11 | 174.5 | 34 | 611.5 |
| Latin America | 3 | 19.3 | 5 | 45.1 | 5 | 69.9 | 7 | 60.7 | 20 | 195.0 |
| Total | 10 | 117.6 | 23 | 372.1 | 27 | 380.5 | 30 | 353.6 | 90 | 223.8 |

The number of projects in which the Fund itself took the lead in identification and preparation has been growing steadily. In 1981, of 30 projects, 17 were initiated by IFAD and the remaining 13 were cofinanced on the basis of work initiated by other cooperating institutions. But significantly, for 8 out of these 17 IFAD-initiated projects, IFAD was able to secure financial support from other multilateral and bilateral donors. Over the 4-year period 41 projects, involving total commitments of \$635 million, can be categorized as Fund-initiated, while the remaining 49 projects, with total commitments of \$585 million, were initiated by other cooperating institutions.

Discussions between OPEC and OECD donors regarding a 3-year (1981-83) replenishment of IFAD's financial resources continued during 1981. Negotiations took place at the January 1981 IFAD Governing Council meeting as well as at several of the quarterly IFAD Executive Board sessions. In addition OECD and OPEC donors met separately several times. However final agreement could not be reached. The major issue preventing agreement continued to be financial burdensharing between the two donor groups. A breakthrough came at the annual IMF/IBRD meeting in Washington when several OECD donors agreed to provide supplemental contributions totaling \$25 million over and above the basic OECD contribution of \$595 million, if OPEC donors agreed to raise their contributions to \$450 million. The OPEC countries agreed to consider the proposal but had not reached a decision by year's end. An OPEC donor response was expected at the mid-January 1982 annual IFAD Governing Council meeting.

Without new financial resources IFAD's activities were curtailed in 1981. Only 14 new projects, totaling \$153 million, would be approved formally, together with about \$20 million in technical assistance grants. To avoid a complete standstill in new IFAD operations, the IFAD Executive Board agreed at its September meeting to review and give conditional approval to new projects pending the completion of replenishment negotiations. By December 1981 there was a backlog of 16 provisionally approved projects, totaling \$200 million.

The United States continues to support IFAD but along with other OECD donors has stated that continued participation is contingent on equitable burdensharing between the two donor groups. Disappointment with an OPEC offer in early 1981 led the new Administration, in the context of the need for overall budgetary austerity and cuts in other foreign assistance programs, to reduce the U.S. contribution from \$230 million to \$180 million. Late in the year Congress authorized the Administration's \$180 million request but did not appropriate any fiscal year 1982 funding for IFAD. Disappointment concerning the unresolved burdensharing issue and concern regarding the growth in the number of IFAD staff were major factors influencing Congressional action.

UN Educational, Scientific, and Cultural Organization

With the addition in April of the Bahamas and Western Samoa, total membership in the United Nations Educational, Scientific, and Cultural Organization (UNESCO) grew to 155 full member states and one associate member (the British Eastern Caribbean Group).

Jean Shevlin Broward Gerard replaced Barbara W. Newell as U.S. Representative to UNESCO. Ambassador Gerard also will represent the United States on the Executive Board of the Organization.

The Organization's Silver Medal was awarded to two American citizens, Mr. John E. Forbes, former Deputy Director General of UNESCO, and Mr. Archibald MacLeish, Pulitzer prize winning poet. The Silver Medal is awarded in exceptional circumstances or for exceptional reasons to persons eminent in the fields of education, science, culture, and communication.

The 45-member Executive Board held its 112th session May 12-19 and its 113th session September 15-October 7; both sessions took place in Paris.

A key issue at the 112th Executive Board was the Board's authorization of the Director General to negotiate an association agreement between UNESCO and the Islamic States Broadcasting Organization (ISBO), an organization perceived by the United States as anti-Israeli. Several budget issues were opposed unsuccessfully by the United States on the basis that the resolutions could cost member states money above their assessed dues. The United States was successful, however, in amending the terms of reference on a new UNESCO-World Intellectual Property Organization (WIPO) advisory group on copyright in a manner favorable to the U.S. publishing industry.

Key agenda items of the 113th Executive Board included the adoption of a resolution condemning Israel for its continuing archaeological excavations in Jerusalem, and the approval of an

association agreement with the ISBO, both of which were opposed by the United States. The United States was elected, together with France, to represent the Western European and Other Information Group on the 12-member Medium-Term Plan drafting group, and prevailed on the issue of semi-full budgeting in discussions within the Finance and Administrative Committee on budgeting techniques.

The Committee on Conventions and Recommendations (CR) also met twice, immediately prior to the Executive Board meetings, to consider among other items alleged violations of human rights within the fields of UNESCO's competence. The United States was represented at both sessions of the CR by Mr. Richard Schifter. The concentration of cases in the CR was on alleged violations by Argentina, Chile, Uruguay, Central American republics, the U.S.S.R., various Eastern European nations, and Israel. Both individual cases and procedures for dealing with "questions" (massive, systematic, or flagrant violations) were considered. Discussions on the U.S.S.R. cases generally were prolonged and detailed, with Soviet representatives throwing up a dense smokescreen of frequently irrelevant information.

MEDIUM-TERM PLAN

In June the United States presented its submission to the Medium-Term Plan for 1984-89. The Medium-Term Plan, blueprint for the programs and administration of the Organization, will be approved by the next General Conference in 1982.

The U.S. position on the 1984-89 Medium-Term Plan emphasized budgetary restraint to ensure that present levels of spending not be exceeded. The United States submission urged greater program concentration and stricter evaluation with a view toward matching any program addition with a corresponding elimination of an existing program.

It was recommended that as the leading international agency in education, UNESCO should concentrate on four themes which would provide a conceptual framework for establishing priorities within that sector. The four themes are (1) promotion of equality of educational opportunity for all persons; (2) promotion of basic education, sound educational practice, and the full development of learning capacity; (3) development of effective relationships between the school, other social institutions, and the needs of society; and (4) curricula development to reflect a sense of international understanding and the need for global cooperation.

The U.S. science sector objectives were (1) the strengthening of national and international science and technology institutions and

infrastructures through fostering research in the basic sciences, and promotion and training of scientific and technical personnel, and (2) the strengthening of international cooperation to develop a scientific basis for the productive management of natural resources.

The social science sector was encouraged to develop feedback mechanisms designed to transmit social science findings among higher educational institutions and research centers, and to improve further the applicability of social science knowledge through the development of instruments, methods, and professional expertise in these matters.

Defense of First Amendment principles underlay the U.S. submission in the communications sector, underscoring the need for the free flow of information within and among countries. Communications programs should be directed toward increasing the capacity of developing countries to communicate.

Finally, in the cultural sphere the United States endorsed UNESCO action directed toward promotion of appreciation and respect for cultural identity, toward cultural exchange, and toward promotion of cultural development.

Overall, it is the U.S. view that the highest priority should be given to those activities that contribute directly to UNESCO's capacity to promote international exchange of experience and knowledge in its fields of competence, and to assist national initiatives and self-reliance.

The 113th Executive Board adopted a resolution to guide the Secretariat in drafting the Medium-Term Plan (1984-89) which incorporated most of the suggestions made by the United States and other Board members that are major contributors to the Organization. Among the resolution's most important points were limitation of normative and standard setting activities to areas where consensus seemed possible, and a remarkably flexible formula for medium-term budgeting which provided an opportunity to incorporate zero budget growth.

EDUCATION

Approximately 40% of UNESCO's total program activities are in the field of education. They range from basic literacy programs through scientific and technological education, to teacher training and educational policy planning. Also included in the education sector are the educational aspects of such major social concerns as improving the status of women, promoting human rights, and combatting drug abuse.

The United States hosted an "International Symposium on Services for Young Disabled Children, their Parents and Families" in

Washington, D.C., December 7-11. Fourteen international participants met to develop strategies for improving educational, health, and social services for disabled children from birth to age 8, and for their families. Discussions centered on conditions in developing countries.

The biannual meeting of the UNESCO-International Board of Education (IBE) 38th International Conference on Education was held November 10-19 in Geneva. The conference theme was the interaction between education and productive work. The U.S. delegation was headed by Deputy Under Secretary for Education John Rodriguez, and the United States was elected to the Drafting Group for Conference Recommendations. The conference discussions centered on educational, professional, and technical issues stressing the need for, and importance of, life-long education.

The UNESCO *Ad Hoc* Committee of the Intergovernmental Committee for Physical Education and Sport met December 16-19 in Paris to discuss problems of staging international sports competitions. The United States was represented at the meeting by S.A. McNeely, Department of Education. Because of the upcoming 1984 Los Angeles Olympics, the subject matter was of particular interest to the United States. The report of the *Ad Hoc* Committee will be presented to the Committee of the Whole in 1983 for possible action.

Experts from 11 countries, including the United States, met December 7-11 in Paris at the invitation of UNESCO to help plan the Intergovernmental Conference on the Implementation of the Recommendation on Education for International Understanding, Cooperation, and Peace and Education Relating to Human Rights and Fundamental Freedoms with a view to Developing a Climate of Opinion Favorable to Security and Disarmament (Paris, December 1982). The United States, represented by Dr. Judith Torney-Purta, University of Maryland, played a key role at the meeting. As a result it is expected that the 1982 conference will have a dual focus: implementation of the recommendation within formal education structures and through non-formal education.

NATURAL SCIENCES

UNESCO activities in the natural sciences are concentrated, for the most part, on efforts to increase the scientific and technological capability of developing countries. This is done by supporting scientific and engineering education, technician training, and applied research programs. Intergovernmental programs in ecology, geology, oceanography, hydrology, and technological information are extensive. The United States sits on the governing council of each of these organizations.

The UNESCO Man and the Biosphere Program (MAB) marked the completion of its first decade of activity by organizing with the International Council of Scientific Unions (ICSU) a scientific conference and exhibition around the theme of "Ecology in Practice: Establishing the Scientific Basis for Land Management," which took place September 22-29 in Paris. In all, 375 scientists and government administrators from 67 countries plus representatives of international organizations participated in the conference designed to evaluate 10 years of MAB accomplishments through the presentation of papers and case studies based on MAB projects. The recommendations formed the basis of the deliberations of the 7th session of the 30-nation International Coordinating Council (ICC) of MAB, which immediately followed the conference. The ICC elected a new governing bureau with the United States included among the vice presidents. The newly elected bureau approved the inclusion of 17 additional sites in the biosphere reserve network including 2 submitted by the United States: Guanica State Forest in Puerto Rico and Big Thicket National Preserve in Texas. These reserves are established to conserve genetic diversity and as environmental monitoring and research sites.

The International Geological Correlation Program (IGCP) is a joint activity of UNESCO and the International Union of Geological Sciences (IUGS) founded in 1972 to encourage the development of international programs in solid earth sciences, geology, and other major sectorial programs. Eight of these programs were chaired by U.S. citizens, while U.S. scientists participated in a total of 36 working groups. These activities take place primarily under the auspices of the U.S. Geological Survey. Individual projects are funded through a National Science Foundation grant administered by the United States National Committee for the IGCP.

The UNESCO International Hydrological Program (IHP) in conjunction with the World Meteorological Organization (WMO) held the International Conference on Hydrology and the Scientific Bases for the Rational Management of Water Resources August 18-27 in Paris. Delegations from 100 countries, including the United States, attended the conference. The goal of the conference was to evaluate the progress made within the framework of the respective UNESCO and WMO programs in the fields of hydrology and water resources and to draw up recommendations on the orientation of the future programs of the organizations in this field. Proposals for 1984-89 recommended provision of scientific and technological groundwork and development of human resources and infrastructures needed for rational evaluation, development, conservation, and management of water resources. The aim is to help countries resolve crucial social and economic programs related to water. The conference also called for increased efforts to circulate data in forms better adapted to the varied users.

The Intergovernmental Oceanographic Commission (IOC) is the focal point for marine science in the UN system. It operates as an intergovernmental mechanism to create an environment that will facilitate and expedite ocean science programs in areas in which it would be difficult for individual nations to conduct such programs, and to coordinate important service functions such as data collection and exchange, environmental forecasting and monitoring, research and monitoring of marine pollution, and tsunami warnings. The IOC, with its 103 member states, serves not only as an instrument of cooperation among various nations but also among the UN specialized agencies and international organizations conducting programs with ocean science components.

The United States plays a major role in helping the IOC carry out its programs. In the area of ocean pollution research, for example, the National Oceanic and Atmospheric Administration (NOAA) has provided a research vessel, the *George B. Kelez*, and its crew, to enable IOC scientists to conduct water samplings and analysis off Bermuda. The Naval Research Laboratory, the Skidway Institute of Oceanography, and the Woods Hole Oceanographic Institute are among other worldwide institutions taking part in the research effort.

The United States is a member of the Executive Council of the IOC which held its 14th session in June at Tenerife, Spain. Of note during the meeting was the successful first session of the Scientific Review Board.

Ocean climate was the most hotly debated item among the science issues. The U.S. and U.S.S.R. delegations agreed that ocean climate research should be a high priority for the Commission, though disagreement occurred over the timeliness of operational monitoring. The Soviets clearly will continue their determination to establish an early operational ocean monitoring program. From the U.S. point of view, the ocean climate program in IOC continues to be well supported and progress is realistic. The substantive operational body, the Committee on Climatic Changes and Oceans (CCCCO), was established in 1979 as the result of a U.S. initiative.

Two groups of experts were convened in late summer to consult about the science sector's recommendations to the Director General for the 1984-89 Medium-Term Plan and to examine the program and working methods of the science sector. The United States was represented at meetings of both the Advisory Panel on Science, Technology, and Society and the Consultative Group on Science and Technology Policy.

The Advisory Panel perceived a need to orient programmatic activities of UNESCO in the future toward building up the science and technology infrastructures and basic science capabilities in developing countries. The U.S. representative to the Advisory Panel

initiated a proposal for peer evaluation of ongoing projects which has received favorable attention from Secretariat officials.

The Consultative Group prepared an experimental study of new concepts and approaches which could serve as the basis for development policies to be carried out by UNESCO's member states during the Third Development Decade (1980-90).

GENERAL INFORMATION PROGRAM

The mandated concern of the General Information Program (PGI) is development and utilization of libraries, archives, and technical information activities.

In February and March, at the request of UNESCO, the United States participated in a series of meetings on programs proposed by UNESCO/PGI to the UN Development Fund, which is administering the Interim Fund for Science and Technology Development. UNESCO proposed a method for determining how to establish those kinds of science and technology information projects that should be supported in the developing countries. As a demonstration it was proposed to the Fund that a series of country reports be developed using as a starting point the National Development Plan of the country itself.

The United States participated in the UNESCO/PGI consultation meeting on Transfer and Utilization of Information for Development in the 1980's—Main Problems and Strategies for Their Solution, which was held May 11-15 in Toledo, Spain. The meeting brought together not only information, library, and archives specialists but also representatives from other professional groups traditionally concerned with the development process, such as sociologists, economists, and development planners.

The 3rd session of the PGI Intergovernmental Council was held October 26-30. The United States was elected a vice president at the meeting. The meeting was notable for the lack of political rhetoric and concentration on technical issues. Discussions concerned the next Medium-Term Plan and a review of the current program which the Council endorsed. Future activities will be built on the existing programmatic structure; no new activities were suggested.

CULTURE

International campaigns were launched in 1981 under UNESCO's auspices to safeguard sites and monuments in Senegal and Mauritania as part of the Organization's ongoing work to preserve and

protect member states' cultural and natural heritage. In a related effort an intergovernmental committee set up by UNESCO to help member states retrieve missing items of their national heritage recommended increased efforts to inventory such items in countries of origin and in countries where they now are located.

The General Assembly of the International Committee for the Safeguarding of Tyre held a routine meeting in December in Paris. The Committee, founded under the UNESCO auspices, numbers several prominent American citizens among its members, and has the official sanction of the Government of Lebanon. However, Lebanon cannot nominate Tyre for inscription on the World Heritage List at the present time, because it has not yet ratified the UNESCO World Heritage Convention.

An extraordinary session of the World Heritage Committee was held September 10-11 in Paris. The United States unsuccessfully opposed holding this meeting. The special session reviewed and approved the nomination by Jordan of the "Old City of Jerusalem and its walls." The United States cast the sole negative vote.

The United States vigorously opposed both the nomination and the special session as politically inspired and devious. The United States does not dispute the international cultural significance of the old city of Jerusalem, but the nomination itself was inconsistent with several key articles of the World Heritage Convention, particularly that article which states that nominations may be submitted only by a state in whose territory the site is located. The United States considered that nomination by a state of a site not situated within its territory set a precedent which could activate innumerable disputed claims to sovereignty, with highly political consequences.

The World Heritage Committee held its scheduled session October 26-30 in Sydney, Australia, and added 26 sites to the World Heritage List of monuments and natural areas to be considered to be of outstanding universal value, bringing the total number of sites thus listed to 112; the Mammoth Cave National Park and Olympic National Park were 2 of the 26 sites. Grand Canyon National Park, which was added to the list previously, was dedicated officially as a World Heritage site in July. The Assistant Director General of UNESCO for Natural Sciences, Dr. A. R. Kaddoura, attended the ceremony.

The 4th session of the UNESCO Universal Copyright Convention (UCC) Intergovernmental Copyright Committee (ICC) was held November 30 to December 7 in Geneva jointly with the Executive Committee of the Berne Union. The United States participated in ICC sessions and observed at the Executive Committee sessions because the United States is not a member of the Berne Convention. Agenda items of interest to the United States concerned protection of American works in UCC states, cable television, computer uses of

copyrighted works, folklore, guiding principles on UCC and Berne compulsory licenses for reproduction and translation, and satellites.

COMMUNICATION ISSUES

Communication issues in UNESCO continued to require close attention and response. Member countries of the Group of 77 met at several UNESCO-sponsored regional meetings during 1981 to draw up preliminary proposals for communication and information development. Meetings in the Latin American-Caribbean area alone accounted for 62 communication recommendations and project proposals. The African group submitted fewer but more costly projects. These and proposals from other regions, with total costs approaching \$50 million, have been reduced to several dozen, mostly regional projects, for review and selection at the second meeting of the 35-nation Intergovernmental Council of UNESCO's International Program for the Development of Communication (IPDC), scheduled to be held January 18-25, 1982, in Acapulco, Mexico. Selection of a program director and criteria for financing projects and project selection are also on the agenda. An organizational meeting of the IPDC was held in Paris in June 1981.

ADMINISTRATIVE AND BUDGETARY QUESTIONS

The record UNESCO budget for 1981-83 approved by the 21st General Conference in 1980 was not a major point of discussion during 1981. However, budget-related topics did receive major attention at the 112th and 113th UNESCO Executive Board sessions. The 112th Executive Board approved a study of budget techniques originally proposed by New Zealand, despite the vehement opposition of the UNESCO Director General. The resulting report prepared by the UNESCO Secretariat was approved by the 113th Executive Board together with a list of 18 questions to serve as the basis for further discussion at the next Executive Board meeting in April 1982.

A key issue is the retention by UNESCO of the practice of semi-full budgeting, a technique that permits budgeting for inflation cost increases only for the first half of a given budget period. Initially, the United States stood alone in its support for retention of this technique. Through continuous consultations a number of major contributors have altered their views.

Another key issue has been the Medium-Term Plan, 1984-89. Under U.S. leadership a number of countries agreed to a joint

demarche on the Director General stipulating that the Medium-Term Plan should be a planning document, not a budget forecast, that indicative growth rates have no place therein, and that the budget for the 1984-85 period should be based on a zero rate of real growth. The plan will be approved by an extraordinary session of the General Conference in October 1982.

The placement of Americans in key positions in UNESCO took a step forward with the appointment of George Saddler as Assistant Director General for Administration. However, with a quota range for UNESCO of 92-123, only 91 positions currently are filled. Mr. Saddler's appointment makes the possibility remote that another American will be selected soon to fill an equally ranked but more substantive position.

GENERAL ASSEMBLY

On November 27 Zaire introduced a draft resolution in the plenary Assembly. The draft, entitled "Return or restitution of cultural property to the countries of origin" was subsequently sponsored by 32 other countries. The resolution, *inter alia*, (1) reaffirmed that restitution to a country of cultural or artistic treasures contributed to the strengthening of international cooperation; (2) requested UNESCO to intensify its efforts to help countries to find suitable solutions to the problems relating to return or restitution of cultural property and urged member states to cooperate with UNESCO in that area; (3) appealed to museums and public and private collectors to return totally or partially or make available to the countries of origin any cultural property, particularly the items kept in museum storehouses, and to help the countries of origin, with the cooperation of UNESCO, in their endeavors to formulate an inventory of these collections; and (4) further appealed to member states to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to the countries of origin.

The resolution was adopted the same day in the General Assembly by a non-recorded vote of 109 to 0, with 13 (U.S.) abstentions. (Resolution 36/64.) The U.S. Representative, Ambassador Jose Sorzano, speaking in explanation of vote, said that the U.S. vote in no way affected U.S. support for the principle of the resolution. However, the United States was opposed to any governmental obligation that went beyond the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Cultural Property, to which the United States is a

signatory. He added that the United States in principle rejected the operative paragraph of the resolution which implied state direction of the media for specific purposes, pointing out that the principles embodied in the First Amendment to the U.S. Constitution, including that of governmental non-interference with the media, were among the freedoms most cherished by the Government and people of the United States.

U.S. NATIONAL COMMISSION FOR UNESCO

The United States National Commission for UNESCO, created by a joint resolution of Congress in 1946, is comprised of 100 individuals appointed by the Secretary of State (60 representing non-governmental organizations), from the fields of education, science, culture, and communications. The Commission (1) advises the U.S. Government on UNESCO matters, (2) publicizes UNESCO activities in the United States, and (3) facilitates the participation by U.S. organizations and individuals in UNESCO programs.

As part of its continuing effort to involve the private sector in UNESCO activities and in formulating U.S. policy toward UNESCO, the Commission undertook several activities that have resulted in greater private sector awareness of UNESCO's activities.

Through its standing committees the Commission also advised the Department of State about the attitudes and positions professional groups take toward UNESCO's activities.

The Commission gave high priority to five areas: international communications, human rights, status of women, the environment, and culture.

At its 1981 annual meeting, held in Washington, D.C., the Commission sponsored a symposium on Cultural Policies and Cultural Development in an Inter-Dependent World. The symposium brought together more than 200 individuals from the academic, foundation, and business communities to discuss issues of international cultural policy and development, and to begin the process of clarifying American attitudes toward these issues. Questions of cultural policy and development will be the focus of a UNESCO-sponsored intergovernmental conference in July of 1982 in Mexico City.

Following up on an earlier conference on international communications issues, the Commission published a book containing the papers delivered at that conference (Athens, Georgia 1979). The book has been received enthusiastically by scholars, government officials, and business executives.

In the area of human rights, the Commission organized a special meeting of representatives of non-governmental organizations con-

cerned with human rights. The representatives met with Mr. Schifter, U.S. Representative to UNESCO's Committee on Conventions and Recommendations; the UNESCO body that deals with human rights abuses in education, science, culture, and communications.

The Commission continued to support a committee project to revise social studies curricula to include new units on international human rights.

In the area of international women's affairs, the Commission's standing committee on the status of women continued followup work on the 1980 UN Mid-Decade Conference on Women, which was held in July of 1980 in Copenhagen. In particular the committee arranged for outside support (including support from UNESCO) to allow for publication of materials from the Copenhagen Forum, which was a parallel unofficial conference of non-governmental organizations that was held in conjunction with the UN Conference.

The committee, again with support from UNESCO, arranged a meeting of non-governmental organizations to plan for greater U.S. participation in UNESCO's co-action program. This program is a small-scale people-to-people assistance program whereby programs in developing countries receive financial assistance from individuals and organizations in the developed countries. The program is uniquely effective in that UNESCO absorbs the administrative overhead allowing 100% of the donation to go directly to the project.

The Commission was particularly active in supporting the Department of State as it prepared the U.S. response to UNESCO's request for guidance in preparing the agency's Medium-Term Plan. The Plan covers a period of 5 years (1984-89) and is UNESCO's primary policy document, guiding the preparation of actual programs. The Commission organized formal consultations with various segments of the private sector in the areas of education, science, culture, communications, human rights, and women's affairs. The information helped the Department of State prepare a document that has the general support of key segments of the private sector. In addition to the various sectoral presentations, the Commission prepared the overall policy statement which the Department accepted, almost without change. This section of the Medium-Term Plan response lays out the U.S. view of what the broad, future goals of UNESCO should be and comments on such issues as budget, administration, methodology, and limits to programs. The National Commission will continue to play an important role in the final phase of the plan which will be its adoption at UNESCO's extraordinary General Conference in Paris in the fall of 1982.

In the field of science the Commission continued to expand the U.S. activities in the U.S. Man and the Biosphere Program (MAB). This major UNESCO program aims toward improving management

of the world's natural resources through scientific research. The U.S. MAB Committee, established in 1972, is one of more than 90 national MAB Committees working in 14 research project areas dealing with the rational use of forests, rangeland, water resources, and other related resources. It has the cooperation, participation, and partial funding of the National Park Service of the Department of the Interior and the Forest Service of the Department of Agriculture. A major element of the MAB Program is the establishment of a global network of biosphere reserves and protected areas for conservation and ecological research. Thus far, 210 reserves in 55 countries officially have been designated, including 38 in the United States. The MAB Program is acknowledged widely as one of the most cost-effective and productive programs in the UN system.

World Intellectual Property Organization

The World Intellectual Property Organization (WIPO) was established by a Convention signed in 1967 at Stockholm which entered into force on April 26, 1970. The United States is a party to the Convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for the administration of some 15 intergovernmental "Unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has some 90 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has some 70 parties. The United States is a party to the former Convention, but not the latter.

Other WIPO-administered intellectual property treaties to which the United States is a party are the Patent Cooperation Treaty, the 1957 Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the 1968 Locarno Agreement Establishing an International Classification for Industrial Designs, the 1971 Strasbourg Agreement Concerning the International Patent Classification, the 1971 Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms, and the 1977 Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

Membership in WIPO is open to any state that is a member of the Paris or Berne Unions, or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly. Total membership of WIPO is 97.

ADMINISTRATIVE ORGANIZATION

The Paris and Berne Conventions had provided for an international bureau to serve as Secretariat for each respective Union. These were united in 1893, eventually under the name of the United International Bureau for the Protection of Intellectual Property (BIRPI). Although BIRPI still has a legal existence for states that are members of one of the Unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm Convention to be the Secretariat of WIPO. WIPO became a specialized agency of the United Nations in 1974.

The International Bureau operates under the direction of the WIPO member states through a General Assembly and a Conference which meets biennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each Union, consisting of all the member states. The Paris and Berne Unions elect Executive Committees from among their member states, and the joint membership of these two Committees constitutes WIPO's Coordination Committee, which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the biennial program and budget of WIPO. As a member of the Paris Union Executive Committee, the United States continued as a member of the WIPO Coordination Committee through 1981. In 1981 the United States was also a member of the following Governing Bodies or other organs of WIPO: the General Assembly, the Budget Committee, the Permanent Committee for Development Cooperation Related to Industrial Property, the Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights, and the Permanent Committee on Patent Information.

OBJECTIVES

One of the two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin; and it performs the administrative tasks for an international patent-filing arrangement.

The second basic objective of WIPO is to ensure administrative cooperation among the Unions. Centralizing the administration of the various Unions in the International Bureau helps to ensure economy for both the member states and the private sector concerned with intellectual property.

TECHNICAL ACTIVITIES

The United States suggested in 1975 that some method be found to monitor the technical efforts of WIPO to ensure against their proliferation and avoid duplicative efforts.

The WIPO Administrative Bodies, in their fall 1977 meeting, established a Permanent Committee for Patent Information (PCPI). This Committee, which held its most recent meeting in December 1981, coordinates all technical activities which previously were being undertaken by separate bodies in regard to the revision of the International Patent Classification under the Strasbourg Agreement, the activities of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), certain technical activities under the Patent Cooperation Treaty, and various other existing or planned technical activities related to patent information.

During 1981 the United States participated in specific technical activities directed toward the publication of the fourth edition of the International Patent Classification, development of cooperative patent search systems and standards under the Search Information and General Information Working Groups of the PCPI, in measures adopted to ensure the smooth working of the Patent Cooperation Treaty under its procedures, and improvement of the International Classification of Goods and Services for the Purposes of the Registration of Marks.

In connection with the interests of developing countries in technology from all sources, the Working Group on Patent Information for Developing Countries continued to develop ways and means of securing technological information from patent documentation relevant to the needs of developing countries.

ASSISTANCE TO DEVELOPING COUNTRIES

Activities of WIPO in the field of development cooperation with respect to developing countries continued in 1981 under the direction of two committees composed of developed and developing countries, the WIPO Permanent Committee for Development Cooperation Related to Industrial Property, and the WIPO Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participated in both of these Committees and supports most of the activities, which are numerous and varied.

During 1981 WIPO continued to provide traineeships to officials from developing countries in the fields of industrial property and copyright. The U.S. Patent and Trademark Office participated by providing training to a number of developing country nationals.

REVISION OF THE PARIS CONVENTION

In 1981 the United States continued its active participation in the work on revision of the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. In a series of five meetings which ended in late 1978 the Preparatory Intergovernmental Committee (PIC) on the Revision of the Paris Convention had concluded its preparations for the Geneva Diplomatic Conference. During 1979 a Provisional Steering Committee and a Working Group established by the Preparatory Intergovernmental Committee met to finalize preparations for the Diplomatic Conference.

The first session of the Diplomatic Conference was held during February–March 1980 in Geneva. The Conference bogged down in attempting to resolve the question of the voting majority for adoption of a revised text of the Paris Convention. Following an almost month-long discussion, voting rules were adopted over the objection of the United States in the concluding days of the Conference.

The Paris Union Assembly, in September 1980, agreed that the second session of the Diplomatic Conference would be held in Nairobi in the latter part of 1981 and that an enlarged contact group meeting should be held in the spring of 1981 to attempt to resolve two major substantive issues before the second session of the Diplomatic Conference. In the enlarged contact group meeting of 10 members from each of the 3 regional groups, 1 week of discussion was held on each of 2 substantive topics with no further agreement being achieved.

In the opening of the second session of the Diplomatic Conference, held in September–October 1981 in Nairobi, the United States again noted its opposition to the adoption by less than a unanimous vote, of a vote rule providing for less than a unanimous vote to adopt a revised text. The United States also noted its willingness to participate with a view to obtaining consensus approval of any revised text that evolved.

Almost all of the 4-week second session was spent attempting to resolve the issues regarding sanctions for not manufacturing a patented invention in a given country. The Group of 77 wanted to have greater discretion in the nature of the sanctions developing countries could apply and they wanted developing countries to be able to apply the sanctions sooner. The industrialized countries preferred limiting the sanctions which were available and giving inventors more time to manufacture their inventions before sanctions could be applied. Although some industrialized countries felt that any relaxation in the nature of sanctions or in time limits should be available to any country and not only developing countries, the majority felt that any relaxation in existing requirements should be available only to developing countries.

At the conclusion of the 4-week session, a revised text on the sanction matter alone was agreed to informally with only the United States objecting. The U.S. objection was directed primarily against the confiscatory nature of two sanctions which a developing country could apply for situations involving the non-manufacture of a patented invention. Further discussion on this matter, as well as on other matters which only were discussed summarily in the second session, was deferred to a proposed third session.

In November 1981 the Paris Union Assembly agreed that a third session of the Diplomatic Conference should be held in Geneva in the fall of 1982.

PATENT COOPERATION TREATY

A total of 32 countries had ratified or adhered to the Patent Cooperation Treaty (PCT) by the end of 1981. These included the 1981 accessions by Belgium and Sri Lanka.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been filed concurrently with the national Patent Offices (including the European Patent Office) of those countries party to the PCT that the applicant designates. The international application is then subjected to a search of the prior art by the U.S. Patent and Trademark Office, and the applicant is placed in a position in which he can decide, on the basis of the international search report, whether it is worthwhile to pursue his application in the various countries he has designated. National procedures in such countries are delayed until 20 months after the priority date, unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant generally may seek protection under the national law of that country or under the European Patent Convention.

PROTECTION OF THE OLYMPIC SYMBOL

In a 2-day Diplomatic Conference in September 1981, the Nairobi Treaty on the Protection of the Olympic Symbol was agreed to and signed on behalf of 21 countries. The United States, in the final vote on the instrument, which required a two-thirds vote for approval, voted against adoption primarily because the treaty erodes the

ability of the U.S. Olympic Committee to retain licensing revenues for use of the U.S. Olympic teams.

World Health Organization

The World Health Organization (WHO) made further advances in 1981 in developing a strategy to achieve its goal of "health for all by the year 2000." Its World Health Assembly adopted a new budget for the biennium 1982-83 and reviewed and adjusted the contents of WHO global, regional, and country program activity. It also adopted an international code of marketing of breastmilk substitutes. Once again it deferred action on transferring the regional office for the Eastern Mediterranean region from Alexandria, Egypt, to another country in the region. St. Lucia and Dominica were added as new members in 1981, bringing the total WHO membership to 157, plus 1 Associate Member (Namibia).

Dr. Edward N. Brandt, Jr., Assistant Secretary for Health of the Department of Health and Human Services, led the U.S. delegation to the 34th World Health Assembly, held May 4-22, 1981 in Geneva. Dr. Brandt addressed the Assembly, expressing continued U.S. support for principles and programs of WHO, describing the approaches to health care being developed by the new Administration in the U.S. Government, and explaining the more restrictive U.S. policies on budgetary growth in the UN system that would follow necessarily from a U.S. determination to reduce Government spending. Dr. Brandt also used the occasion of his visit to Geneva to meet with WHO's Director General, Halfdan Mahler (Denmark), to initiate contacts with health ministers from other nations, and to sign, along with the Minister of Health of Kuwait, a new bilateral cooperative health agreement between the United States and Kuwait.

During 1981 the United States sent an observer delegation to the 3-week January meeting of WHO's 30-member Executive Board. The Assembly in May elected the United States to a 3-year membership on the Board, and Dr. Brandt was nominated as the U.S. member. The United States also was elected to the Executive Board's 9-member Program Committee, and delegates were active in that Committee's 1-week meeting in November.

U.S. delegates also participated in meetings of the 9-member Executive Committee of the Pan American Health Organization (PAHO), which serves as the WHO regional committee for the Americas, and in meetings of the PAHO 35-member Directing Council (St. Vincent and the Grenadines and Dominica were admitted as new members). The United States also sent a delegation to the annual meeting of the WHO regional committee for the Western Pacific, in September in Seoul, and an observer to the meeting of the

WHO regional committee for Europe, held in October in Berlin. Dr. Gregory T. O'Connor, Director of International Affairs for the National Cancer Institute, headed the U.S. delegation to the regular annual meeting and two special sessions of the Governing Council of WHO's International Agency for Research on Cancer (IARC) in Lyon, France, and was elected Chairman of the Council. Both PAHO and IARC adopted new work programs and budgets for the 1982-83 biennium, and IARC elected a new director, Dr. Lorenzo Tomatis (Italy), effective January 1, 1982, replacing Dr. John Higginson (U.S.), who had headed the Agency since it was founded in 1965. IARC also admitted Canada as its 12th member.

"HEALTH FOR ALL"

The World Health Assembly in May 1981 adopted a "global strategy" to specify the efforts required to reach "health for all by the year 2000," the goal which aims at "the attainment by all citizens of the world by the year 2000 of a level of health that will permit them to lead a socially and economically productive life." The document adopted by the Assembly sets forth a variety of indicators which will serve to guide national governments and international organizations in making progress toward this goal. The United States consistently has supported WHO's efforts in this direction, which establish primary health care as the key to success of this program.

A major concern of those promoting the "health for all" concept is the lack of adequate resources to assist national efforts. Individual governments are being urged to devote more of their own resources to primary health care efforts built around this strategy. WHO is also convening a Health Resources Group, consisting of representatives of multilateral, bilateral, and private funding agencies, in an effort to bring greater coordination to the use of funds that are available for cooperation in health, to ensure that these funds are employed most effectively, and to avoid overlap and duplication of effort.

However, at the Health Assembly, the United States, the United Kingdom, the Nordic countries, and others objected to the inclusion of a proposed "indicator" that urged international health assistance by donor nations at a level of 0.7% of national health expenditures. It was argued that the figure was arbitrary and not based on economic analysis; WHO staff responded that such an arbitrary figure was useful as a goal, but agreed to delete the concept from the final strategy paper.

As requested by the UN General Assembly in 1979, WHO reported to ECOSOC at its summer 1981 meeting on progress toward "health for all." Subsequently, resolution 36/43, adopted by the UN General

Assembly, endorsed the WHO global strategy and urged all member states to ensure implementation of the strategy as part of their multisectoral efforts to implement the provisions of the International Development Strategy. Similarly, the regional strategy on "health for all" in the Americas was endorsed by the General Assembly on the Organization of American States at its meeting in December in St. Lucia. President Reagan's message commemorating World Health Day (April 7) also called attention to "health for all."

INFANT AND YOUNG CHILD FEEDING

The 1981 Assembly adopted the international code of marketing of breastmilk substitutes. The Assembly in 1980 had authorized WHO to proceed to develop a code that would address various marketing practices, particularly in regard to infant formula. Negotiations continued over the full year. The Executive Board in January 1981 considered two different versions of a proposed code, one that would be implemented as regulations binding on member governments and one that would serve as voluntary recommendations to member governments. Although some members preferred the regulatory version, the Board recommended that the Assembly adopt the recommendatory version of the Code, and the Assembly did so.

Substantial attention was focused on this controversial issue during the Assembly. Although 40 delegations were still waiting to speak, the debate in committee on May 20 was curtailed by a call for closure of debate, approved by a vote of 59 to 14, with 21 abstentions. (The United States did not vote.) The Committee then voted to adopt the code in recommendatory form, by a vote of 93 to 3 (U.S., Bangladesh, Chad), with 9 abstentions. Gerald Helman, U.S. Ambassador to the United Nations and the Specialized Agencies in Geneva gave the following explanation of vote for the United States:

The United States has carefully considered the proposed draft international code of marketing of breastmilk substitutes. We sympathize with many of the views set forth in the course of the discussion on problems of infant nutrition. My Government is deeply concerned about maternal and infant health, and is supporting an extensive program in this field in our country and throughout the world. . . .

We recognize that one of the important aims of the code of conduct just adopted is to encourage breastfeeding. Further, we recognize the rights of a government to ban or regulate the marketing of harmful products and substances, and we recognize in our laws the responsibility of manufacturers to adhere to honest and ethical standards in the marketing of their products. It is our conclusion, however, that the United States cannot support the code before us.

In determining the position of the U.S. on this issue, we have had to balance what we see as the positive and negative factors involved. On the one hand, we strongly support efforts to promote and protect breastfeeding as the ideal form of infant nutrition . . .

On the other hand, the apparent flexibility provided to governments by paragraph 11.1 in our view does not overcome its overall effects of prescribing a rigid set of

rules applicable to companies, health workers, and health care systems in all parts of the world. The code also contains provisions that cause serious legal and constitutional problems for the United States.

Moreover, we have serious concerns about WHO's involvement in commercial codes and this is a central basis for our inability to support this code.

In weighing that balance and taking into account all these considerations, the U.S. has determined that it must cast a negative vote.

On May 21 the plenary Assembly took up the issue, and the final vote to adopt the code was 118 to 1 (U.S.), with 3 abstentions (South Korea, Japan, Argentina).

Later action in the U.S. Congress addressed the U.S. vote at the World Health Assembly. On June 16 the House of Representatives adopted by a vote of 301 to 100, with 2 present and 28 not voting, a proposed joint resolution in which the Congress, *inter alia*, "expresses its dismay at the negative vote cast by the United States, . . . urges the Administration to notify promptly the World Health Organization that the Government of the United States will cooperate fully with other nations in implementation of the code," and "urges the United States infant formula industry to abide by the guidelines of that code . . ." On June 18 the Senate adopted by a vote of 89 to 2 "sense of the Congress" language for inclusion in the Department of State authorization bill; that language said, *inter alia*, that "Congress is concerned with the negative vote cast by the United States on May 21, 1981, . . . and is further concerned that the vote has subjected United States policy to widespread misinterpretation." Subsequently, the language adopted by the House was incorporated into the House authorization bill for the Department, but by the end of the year the Department of State authorization bill had not been passed. The Foreign Assistance Act of 1961 was amended in December 1981, to include "sense of the Congress" language instructing the President to use up to \$5 million to carry out the purposes of sections 103 and 104, to assist developing countries establish or improve programs to encourage better infant feeding practices, and to call for reports on implementation of the provision and on implementation of the WHO infant formula marketing code. Extended debate was held in both Houses and in various committees on the infant feeding issue.

At the end of the year, the Department of Health and Human Services had convened two task forces: one to review the scientific evidence relating to the trends in infant feeding and the determinants of choice by mothers of breastfeeding or bottle feeding, and the other, an interagency group, to review the infant feeding circumstances in the United States and possible U.S. responses to the WHO code.

OTHER HEALTH ISSUES

During the World Health Assembly the United States entered into the consideration of a number of other health issues. A U.S.

presentation on how the causes of low birth weight might be remedied through applied research and incorporation of the results into primary health care programs was well received. Extended discussions addressed communicable diseases, workers' health, mental health, population programs, care of the aging, and the international year for disabled persons. The Assembly adopted a U.S. draft resolution urging greater attention to the UN Water Decade and in particular to the opportunity to eliminate guinea worm, a debilitating disease that disappears as clean drinking water becomes available.

ADMINISTRATIVE AND BUDGETARY ISSUES

The World Health Assembly adopted an effective working budget for WHO for the biennium of 1982-83 of \$468,900,000, the second largest budget in the UN system. The budget included increases of about 2.25% for new program activity and 7.25% to cover higher costs due to inflation, for an overall increase of 9.5% over the 1980-81 budget. At the insistence of the U.S. delegation, WHO agreed to apply to the budget \$24.4 million in miscellaneous income so that assessments on member countries could be reduced by that amount. As a result the actual assessments on member countries increased by only 4.6%. The U.S. share of the budget is 25%, which, after various adjustments, amounts to \$60,240,390 in each year of the 1982-83 biennium.

Extensive negotiations on the budget continued through most of the Assembly in May. The United States made clear its opposition to increases in the budgets of agencies in the UN system, and played a leading role in achieving a number of changes in the Director General's budget proposal. The United States finally was able to support the budget because (1) the Secretariat had proposed only 2.25% program growth when the Assembly in the past actually had authorized an increase of 4%; (2) the Secretariat had agreed to apply \$24.4 million of miscellaneous income to reduce assessments; (3) the Secretariat had agreed (at U.S. insistence) to recalculate the budget at a rate of 1.85 Swiss francs to the dollar, rather than the level of 1.63 that was in effect when the budget originally was prepared; (4) the Secretariat had been willing to absorb cost increases during 1980 and 1981 without requesting supplementary budgets; and (5) the Secretariat had eliminated nearly \$14 million in marginal and outdated programs to make room for new and more pressing programs. The U.S. Representative praised this conservative approach to financial management, and commended it to the attention of other UN agencies. The vote on the budget in committee was 84 (U.S.) to 0, with 15 abstentions. In the plenary the vote on the appropriations resolution was 95 (U.S.) to 0, with 21 abstentions. Those abstaining

were primarily the Soviet Union and its allies and Arab states who wanted to protest the inability of the Eastern Mediterranean regional committee to meet during the year to discuss the budget.

Regarding the projected budget for the 1984-85 biennium, the United States favored no growth whatsoever. "In our judgment," the U.S. delegate said, "present and foreseeable economic conditions require that international organizations curtail program growth and cease passing on to the membership the costs of inflation. . . . As we move to reduce government services at home, we believe we must take a comparable position in international organizations." The Executive Board had proposed that the Assembly authorize the Secretariat to prepare a budget for 1984-85 that would cover the costs of inflation and provide program increases of up to 4% for the biennium. As a result of the U.S. position and the comments of other delegations, including some who were sympathetic and some who wanted large program increases, the Assembly decided not to adopt a resolution of guidance for the 1984-85 budget. The Director General of WHO agreed to take into consideration the various comments of the members as he prepared that budget for presentation to the later Assembly.

The Assembly renewed authority for creation of a "causal income facility" which in the event of losses due to currency fluctuations permits the Secretariat to utilize up to \$20 million in miscellaneous income over the biennium to ensure that approved program activities are maintained. Although the United States supported the concept of this device to protect programs from currency fluctuations, it voted against this proposal at the 1981 Assembly, because at the time of the vote, the Secretariat had not agreed to recalculate the budget at a higher exchange rate, and also because it believed a facility at the level of \$15 million would have been sufficient. The vote was 92 to 13 (U.S.), with 8 abstentions.

The Assembly approved a proposal to reimburse member countries who pay the minimum assessment for the costs of travel of one delegate each to the annual regional committee meeting. The United States opposed that proposal as an unnecessary drain on limited WHO resources. The vote was 107 to 3 (U.S.), with 7 abstentions.

A new 5-story annex to the WHO headquarters in Geneva also was approved. The annex was deemed necessary to house the increased staff administering the voluntarily funded programs of WHO. WHO proposed that the cost of the building be financed by charging rent to these voluntarily funded programs and through the use of an interest-free loan from the Swiss Government. The U.S. delegate said that, despite the impressive argument that the cost of the building would be covered without impact on the regular budget, the United States, in a time of austerity at home and in international affairs, could not vote in favor of this project. The vote was 60 to 1 (U.S.), with 27 abstentions.

Since the adoption of a system of biennial rather than annual budgets, the United States and other delegations have prodded WHO to shift the World Health Assembly to a biennial basis to avoid annual meetings. This has been a proposal of considerable controversy, and a Constitutional amendment is required to accomplish the shift. At the Assembly in May more than 50 countries spoke in an 8-hour debate on the subject. In the end the Assembly adopted a Soviet resolution calling for annual assemblies to continue. The vote was 69 to 45 (U.S.), with 4 abstentions. The Assembly did agree, however, by consensus to limit the Assembly to 2 weeks, rather than 3, in years when the biennial budget is not being discussed.

POLITICAL ISSUES

In 1981 leaders of Arab nations continued their efforts to move the WHO Regional Office for the Eastern Mediterranean from Alexandria, Egypt, to another state within the region. This has been attempted since 1979 as a means of punishing Egypt for its participation in the Camp David agreement. In 1979 the Assembly requested the Executive Board to study the problem before the Assembly considered voting on it. In 1980 the Assembly asked the International Court of Justice for an advisory opinion on the question of advance notice by WHO to Egypt, in the context of the host country agreement between WHO and Egypt to establish the site of the regional office. In 1981 the Arab states introduced a resolution calling for the office to be moved to Amman, Jordan, within 6 months, but Egypt and others argued that paragraph 51 of the advisory opinion of the International Court of Justice, issued in December 1980, required consultation between Egypt and WHO in advance of any Assembly decision to move the office. After a long debate the Assembly adopted by consensus a resolution essentially identical to that proposed by the United States. The resolution did not approve the transfer of the office but asked WHO to consult with Egypt in accordance with paragraph 51 of the Court opinion. The chief effect of the resolution was to delay for another year any decision to move the office. Subsequently, 17 member states of the region expressed their dissatisfaction with the result by announcing the continuation of their decision to boycott the regional office in Alexandria and to have no dealings with it unless the Assembly decided to transfer the office. It was expected that the Director General of WHO would report to the Executive Board in January 1982 on his consultations with Egypt in accordance with paragraph 51 and then to the Health Assembly in May 1982.

Once again the WHO special committee of experts (Senegal, Romania, and Indonesia) issued a report on health conditions in the Israeli-occupied territories, as requested by the 1980 Assembly. The

Government of Israel issued its own 79-page report on the same subject. A resolution harshly critical of Israel was introduced by 35 states but no effort was made to suspend Israel's voting rights. The United States and 28 other countries spoke in an extended debate on the issue. Ambassador Helman, the U.S. delegate, said the Assembly was being asked "to waste its time addressing political issues over which it has no authority" and asked delegates "whether they really think that they will improve the chances for increased contributions (to UNRWA) from the United States by embodying their appeal in a resolution so totally unacceptable as this." Nevertheless the resolution was adopted. In committee the vote was 63 to 23 (U.S.), with 15 abstentions. In the plenary the vote was 65 to 26 (U.S.), with 22 abstentions. Earlier indications that the Arab states would seek to deny credentials of Israel's delegates as a means of excluding them from the Assembly were not borne out. U.S. diplomatic representations with other member governments, along with similar representations by others, had the apparent effect of demonstrating to the Arabs that an effort to deny Israel's credentials would not succeed, and the issue was not pressed.

A draft resolution condemning South Africa and urging health assistance to the frontline states encountered substantial resistance in the Assembly but was negotiated almost to the point of consensus. However, at the last moment Angola and Cuba insisted on retention of a paragraph they had earlier agreed to delete. The United States called for a vote and stated it regretted the political rhetoric contained in the draft resolution. The resolution was then adopted by a vote of 78 to 0, with 7 (U.S.) abstentions. The sponsors of a draft resolution urging increased assistance to Namibia and WHO collaboration with SWAPO were not willing to negotiate. The resolution was adopted over U.S. objections in committee by a vote of 74 to 4 (Canada, Federal Republic of Germany, U.K., U.S.), with 9 abstentions, and in plenary by a vote of 93 to 4, with 10 abstentions.

The U.S.S.R. introduced a resolution stressing the health benefits of disarmament and the need for physicians to unite to prevent thermonuclear war. The Netherlands, speaking for the European Community, strongly objected to the draft resolution as irrelevant to the Assembly and called on the sponsors "that are aggravating international tensions through military occupation in neighboring countries to withdraw occupying forces." The United States endorsed the European Community statement asking the sponsors to withdraw the draft resolution. However, it was adopted in committee by a vote of 46 to 23 (U.S.), with 11 abstentions, with the United States then noting that less than one-third of WHO's 156 members had supported it. In plenary it was adopted by a vote of 68 to 23 (U.S.), with 17 abstentions.

A Libyan draft resolution called for war remnants from World War II to be removed by countries that left them behind. The United

States called for withdrawal of the draft as irrelevant to the concerns of the Assembly, but it was adopted in committee by a vote of 62 to 0, with 20 (U.S.) abstentions, and in plenary by a vote of 83 to 0, with 21 (U.S.) abstentions.

PAN AMERICAN HEALTH ORGANIZATION

The Directing Council of the Pan American Health Organization (PAHO), at its meeting in September 1981 in Washington adopted an effective working budget for the biennium 1982-83 of \$90.3 million. The U.S. share of this budget, based on the assessment scale of the Organization of American States (OAS), is 61.29%; this will amount to assessments of \$28.6 million in each year of the 1982-83 biennium.

The total budget represented an increase of 17.8% of the 1980-81 biennial budget. No increase in program activity was included in this figure. The budgetary increase was related entirely to extraordinary inflation in Western Hemisphere countries. PAHO estimated that an increase of 32% would be needed to meet actual cost increases, but to hold down costs PAHO had reduced 120 positions from the level in the preceding biennium and undertook other cutbacks in regional program activity. The United States, again stressing its restrictive budgetary policies toward UN-system budgets, abstained rather than vote against the budget because of the efforts of the PAHO staff to restrain the inflationary cost increases. Other nations complained that the budget was not large enough or was inequitably distributed among countries. The final vote on the appropriations resolution was 24 to 0, with 2 abstentions (Cuba, U.S.). Cuba explained that its abstention was related to the distribution of the budget and not a commentary on excessive size.

For the projected 1984-85 budget, the PAHO Secretariat had proposed a resolution that would authorize an increase of 18.1%. Extended debate on the subject evoked a variety of positions on future budgets, including the U.S. position that it favored no increase whatsoever. In the end the Council adopted a resolution asking the Director of PAHO to take into account these various comments as he formulated the budget.

The United States delegation tried once again at the September meeting to get PAHO to adopt a rule requiring a two-thirds vote, rather than a simple majority, for adoption of the budget. Most other international agencies have such a rule, including WHO and the OAS. However, other delegations disturbed by the U.S. no-growth policy, voiced concern that a two-thirds rule would permit the United States to join with only 11 other nations to block adoption of the 1984-85 budget. The vote was 3 (Canada, U.K., U.S.) in favor of the two-thirds rule, with 14 opposed, and 9 abstentions.

The PAHO Directing Council also decided to authorize a proposal to demolish the Governor Shepherd Building, located near PAHO

headquarters in Washington, D.C., and to erect a new building combining office space and condominium apartments. PAHO, which has owned the building since 1969, uses a portion of the building for office space and rents apartments in the remaining space. A working group concluded that the current building was in deteriorating condition and required expensive and extensive repair and that a new building was the best of various options.

INTERNATIONAL AGENCY FOR RESEARCH ON CANCER

In April the Governing Council of the IARC, at its meeting in Lyon, France, adopted a biennial budget for 1982-83 of \$17,840,000. This will be financed with \$700,000 from miscellaneous income and assessments of \$8,262,000 in 1982 and \$8,878,000 in 1983. The U.S. assessment, which is 11.58% of the IARC budget, will be \$956,827 in 1982 and \$1,028,163 in 1983.

As in other UN-system organizations, U.S. delegates to the IARC Council meeting stressed a policy of limiting growth in regular budgets. Through extended negotiations during the Council meeting, the United States succeeded in having the proposed budget recalculated at a more current exchange rate, eliminating all program growth, and increasing the amount of money from the special fund used to reduce assessments. The result was an increase in assessments of 15.8% over the 1980-81 biennium, rather than the 34.4% originally proposed. Because of this cooperative attitude by the IARC Secretariat, the United States said it would not oppose adoption of the budget but could do no more than abstain on the final vote because of the still-sizeable increase. The appropriations resolution was adopted by a vote of 8 to 0, with 3 abstentions (Belgium, U.S.S.R., U.S.).

International Civil Aviation Organization

Zimbabwe, Kiribati, Grenada, and Antigua and Barbuda became members of the International Civil Aviation Organization (ICAO) in 1981, thus increasing the total membership to 150 states.

ICAO COUNCIL

Newly expanded to 33 member nations (from 30), the Council is ICAO's executive body. The United States, reelected in 1980, has served continuously on the ICAO Council as a state of chief importance in air transport.

Serious incidents of unlawful interference with civil aviation led the Council to adopt three separate resolutions during the year

condemning the unlawful acts and calling on states to comply with The Hague Convention for the Suppression of Unlawful Seizure of Aircraft (1970), the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971), various ICAO Assembly resolutions, and the Chicago Convention. The incidents that caused the Council to take this action were (1) the March 2 hijacking of a Pakistan International Airlines Boeing 720 aircraft to Afghanistan and later to Syria and the March 27 hijacking to Nicaragua and Panama of a Honduran commercial aircraft, (2) the bomb explosion on an Air Malta aircraft on October 13 after it had landed at Cairo International Airport, and (3) the acts committed against international civil aviation and its facilities in the Seychelles on November 25.

One of the principal functions of the Council is the adoption of International Standards and Recommended Practices (SARPS). For convenience these SARPS are designated as Annexes to the Chicago Convention on International Civil Aviation. A number of significant actions were taken during the year.

The Council adopted a new Annex and approved new Technical Instructions for the safe transport of dangerous goods by air. These companion documents cover the packaging, distribution, handling, and processing of dangerous goods as well as the classifying the labeling of them. The ICAO rules also include revelation of the character and degree of risk involved. They are based on a broad common code developed for all forms of transport by a UN committee of experts and the International Atomic Energy Agency. Both the Annex and the Technical Instructions will become applicable on January 1, 1984.

Addressing the difficult problem of military interception of civil aircraft, the Council amended Annexes 2 (Rules of the Air) and 11 (Air Traffic Services) and improved the ICAO document "Procedures for Air Navigation Services—Rules of the Air and Air Traffic Services." The new procedures are expected to minimize the need for interception and reduce the dangers inherent in interception. The amendments include new visual signals and new provisions concerning rapid and reliable civil-military communications.

The Council also adopted Standards and Recommended Practices for the control of aircraft engine emissions as a new Volume II to accompany the SARPS on aircraft noise in ICAO Annex 16. The new provisions in the Annex, renamed "Environmental Protection," control deliberate venting of raw fuel into the atmosphere. They also set maximum levels for the emission of smoke and certain gaseous pollutants by newly manufactured jet engines.

As recommended by the 18th Meeting of the North Atlantic Systems Planning Group, the Council reduced as of November 26 the longitudinal separation of aircraft flying over the North Atlantic

from 15 to 10 minutes under certain conditions. This action is expected to save fuel.

The Council also examined and took final action on the recommendations of the following ICAO conferences after an initial examination by its appropriate subordinate body, either the Air Transport Committee or the Air Navigation Commission. All meetings were held at ICAO's headquarters in Montreal.

CONFERENCE ON AIRPORT AND ROUTE FACILITY ECONOMICS

This worldwide conference, held May 19 to June 5, considered the general economic situation of airports and route air navigation facilities and policies relating to charges for their use. Recommendations were drawn up for the first time concerning charges for security measures at airports and noise-related charges. The ICAO Council's previous policy guidance to member governments on various other aspects of their airport and route air navigation facility charges was reviewed. This review included the establishment of the cost basis for such user charges, the implications of inflation on operating and replacement costs, the collection of passenger service charges, fuel throughput charges, and other concessions of an aeronautical character such as fuel, inflight catering, and ground handling. Attention was focused on the need for consultations with aircraft operators using the airports and route facilities regarding user charges and planning of new or revised facilities and services. Almost all of the recommendations of the conference were in accordance with the U.S. position. They will be incorporated in a revised version of the Council's guidance on user charges.

SEVENTH SESSION OF THE STATISTICS DIVISION

At the Statistics Division meeting, held September 1-16, the United States presented a paper calling on the Division to endorse the Statistical Panel's recommendation in late 1980 for an overall review of the ICAO statistical program. The Division agreed that a comprehensive review of the ICAO program was needed and developed procedures, survey documents, and a tentative schedule for carrying it out.

Another major item where the U.S. position was achieved concerned ICAO's collection of traffic flow statistics. In an effort to improve the fragmented reporting of these statistics to ICAO by

member governments, the United States presented a proposal that was adopted by the Division after amendment. As a result collection of onflight origin and destination (OFOD) data, which had been done on an experimental basis, is to be reported on a regular basis for each quarter year. Data on traffic by flight stage will continue to be collected but on an annual basis only. Although OFOD data previously reported covered more than 90% of all international scheduled air traffic, the published data, due to government restrictions, covered only about 70% of the traffic and 30% of international city pairs. Consequently the Division recommended that efforts be made to eliminate confidentiality constraints on publication of OFOD data. Experience with the revised program is to be reviewed approximately 2 years after implementation.

AIR NAVIGATION MEETINGS

The worldwide meeting of the ICAO Communications Division, held March 30 to April 16, developed international standards for the new microwave landing system (MLS), dealt with present and future aeronautical radio-frequency needs, and exchanged technical information on current developments for aircraft collision avoidance systems (CAS). The meeting noted that considerable effort had been devoted to the development of collision avoidance systems and that the basic technical difficulties now appear to have been overcome, so that in the near future it would be possible to implement some elements of the system. Many of the studies and developments are based on similar principles. The fundamental principle of the system—secondary surveillance radar (SSR) Mode S—is based on concepts developed by the United States and the United Kingdom. Although a considerable amount of multilateral coordination took place among nations, the meeting recommended that ICAO be provided with technical descriptions and other information covering SSR improvements for use in publishing an ICAO Circular. As recommended by the Division the Air Navigation Commission established an SSR Improvements and Collision Avoidance Systems Panel to study the possibility of developing a collision avoidance system.

The Aerodromes, Air Routes, and Ground Aids Divisional Meeting, held April 22 to May 15, considered numerous amendments to ICAO Annex 14—Aerodromes. These amendments were made necessary by newer types of aircraft, increased aircraft operations, and technological advances in airport equipment. The International Standards and Recommended Practices in the Annex cover requirements for international airports around the world. The meeting recommended the

Precision Approach Path Indicator as a new internationally approved landing approach aid. Also recommended were measures to improve adequate braking for aircraft operations and surface movement guidance and control. These measures deal mainly with measuring and reporting runway braking action, particularly on wet or snow-covered runways, design requirements for pavements to ensure proper drainage, and minimum maintenance levels for braking action. Similarly the meeting reviewed safety provisions for surface movement guidance and control, taking into account aircraft traffic density, visibility, and airport complexity.

Among other air navigation meetings held was the 14th Meeting of the Airworthiness Committee from October 26 to November 10, which discussed continuing airworthiness and performance problems of aircraft. In addition meetings of six panels dealt with various specialized subjects such as obstacle clearance and visual flight rules operations.

PANEL OF EXPERTS ON THE WORK OF THE LEGAL COMMITTEE

The Panel of Experts on the General Work Program of the Legal Committee met from June 8 to 16. The Panel concluded that an international convention on the legal status of the aircraft commander was not necessary and should be deleted from the Legal Committee's general work program. Liability of air traffic control agencies is to be retained in Part A of the program but not presented to the Committee or a subcommittee until certain basic research is completed by the ICAO Secretariat or a rapporteur. "Aerial collisions" was deleted as an independent item but is to be included in this basic research. Study of the status of the instruments of the Warsaw Convention system is to be retained in Part A. No further work is to be undertaken, however, except for an exchange of information regarding ratification of the various protocols and problems encountered, pending their entry into force, including interim measures taken. Possible conflict with the UN Convention on Multimodal Transport of Goods is to be a sub-item of the Warsaw item. In accordance with the U.S. position, no new topics were added to the Legal Committee's work program.

Intergovernmental Maritime Consultative Organization

Costa Rica, El Salvador, and Saint Vincent and the Grenadines joined the Intergovernmental Maritime Consultative Organization (IMCO) in 1981, bringing the membership to 121 full members and one associate member.

ORGANIZATION

Since its inception in 1959 IMCO has had its headquarters in London, and its main objective is to facilitate cooperation among governments on technical matters affecting international shipping as a means of achieving the highest practicable standards of maritime safety and efficiency of navigation. The Organization has a special responsibility for safety at sea and for the protection of the marine environment through prevention of pollution of the sea caused by ships and other craft. IMCO also deals with legal matters connected with international shipping, with the facilitation of international maritime traffic, and is responsible for providing technical assistance in maritime matters to developing countries.

IMCO accomplishes its work through various forums; the Assembly, consisting of the full membership; the Council, with a membership of 24; the Maritime Safety Committee (MSC); the Marine Environment Protection Committee (MEPC); the Legal, Facilitation, and Technical Cooperation Committees; and various technical subcommittees of the MSC and MEPC. Each of the committees consists of the full membership of the Organization. Proposals initiated in subcommittees are referred for review to the appropriate committees, and proposals of the committees are reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by plenipotentiary conferences.

MARITIME SAFETY COMMITTEE

The Maritime Safety Committee (MSC) held its 44th session March 30–April 3, 1981, and its 45th session, November 11–18, 1981. The United States was represented at both sessions and U.S. objectives generally were met.

At the 44th session the United States introduced a proposal to have the Committee exercise greater technical control of its subcommittees. This initiative met with substantial support, leading to the reduction and coordination of subcommittee workloads.

At the 45th session the MSC began use of an accelerated amendment procedure for technical annexes of the 1974 Safety of Life at Sea (SOLAS) Convention. The resulting amendments represent a substantial achievement for U.S. negotiators in bringing international vessel design and construction requirements to a level generally equivalent to the standards for U.S. flag shipping.

MARINE ENVIRONMENT PROTECTION COMMITTEE

The Marine Environment Protection Committee (MEPC) held its 15th session April 6-10, 1981, and its 16th session, November 30-December 4, 1981. The Committee paid particular attention to the need for ratification of the 1973 Convention for the Prevention of Pollution from Ships with its 1978 Protocol (MARPOL 73/78). At the end of 1981, 12 countries possessing 39% of the gross tonnage of the world's merchant shipping had ratified this Convention. MARPOL 73/78 will come into force 1 year after the date on which not less than 15 countries totaling 50% of the world's tonnage have ratified.

At both sessions the MEPC made progress on the approval of uniform interpretations and possible amendments of MARPOL 73/78 and on the approval of Guidelines and Specifications for oil discharge monitoring and control systems. This progress should enable states to proceed with their ratification efforts with a better understanding of the implications of MARPOL 73/78. Additionally the Committee approved the revised formats for the International Oil Pollution Prevention Certificate and the Oil Record Book and made substantial progress on the Anti-Pollution Manual.

LEGAL COMMITTEE

The Legal Committee met twice in 1981 to consider a draft Convention on Liability and Compensation in Connection with the Carriage of Noxious and Hazardous Substances by Sea. This draft convention will be the subject of a general diplomatic conference in 1984. The convention is of particular importance to the United States because it would be the international counterpart of the domestic Superfund.²⁶ The Committee resolved two important points of contention in 1981 by deciding not to treat the subject of fire or explosion aboard unladen tankers and not to cover hazardous materials shipped in package form. Remaining issues to be settled include the division of liability between shippers and shipowners, the geographic scope of application of the convention, the definition of damages covered, the list of substances covered, and the procedures for amending the convention.

The Legal Committee also considered the possibility of raising the limits of liability under the 1969 Civil Liability Convention and the

²⁶ The Superfund is a fund intended to provide compensation for damage from oil spills and the cost of cleaning up the environment. It is to be funded by a special tax levied on each barrel of imported oil.

1971 International Fund for Compensation of Oil Pollution Damage. The United States hosted an informal working group meeting in June 1981 to address this issue and others associated issues. Additional informal working groups met in November 1981 in London, to work on the Noxious and Hazardous Substances Convention, and in December 1981 in Stockholm, to work on the 1969 Civil Liability and 1979 Fund Conventions.

AD HOC WORKING GROUP ON THE ASSESSMENT OF CONTRIBUTIONS

Having held an inconclusive session in October 1980, the *Ad Hoc* Working Group on Assessments convened again June 9 and 10, immediately before the 46th Council meeting. The United States participated actively in the working group. Despite reservations by some members, and strong objections by Panama, the *Ad Hoc* Working Group agreed on a package consisting of a Part A basic assessment and a Part B tonnage assessment. The basic assessment would be adjusted each year so as to constitute a stable 10% of the total assessment. The tonnage assessment would grant a 50,000 ton exemption to all members (freeing some nations with small fleets from all tonnage assessments).

Several countries with large fleets would benefit from the increase in the basic assessment and consequent deemphasis of the tonnage assessment. In addition the tonnage assessment would contain a special concession for small, less developed nations with large fleets. According to the working group's formula, however, only Liberia would benefit from this concession.

Although benefiting from expansion of the basic assessment, Panama objected to being excluded from the benefits of this special concession. (For the Council's discussion of this matter see below.)

COUNCIL

The United States, a member of IMCO's 1979-81 Council, played a leading part in the 46th regular Council session, June 15-19, in London. At this session the Council concentrated on preparations for the 12th regular session of the IMCO Assembly, with the budget and work program of the Organization the leading items on the agenda.

Chiefly by cutting the schedule of IMCO's meetings, the Council achieved \$590,000 in reductions in the Secretary General's \$29,464,600 biennial budget proposal. The Council instructed IMCO's

Maritime Safety Committee, Marine Environment Protection Committee, and Legal and Facilitation Committees to reevaluate their work programs and methods and to remove or delay non-urgent items. The Council deleted the Facilitation Committee's planned week of meetings from the 1982-83 biennium and reduced from 2 weeks to 1 week the meetings of the Ocean Dumping Group. It cut the MCS's meeting funds by 5% for 1982 and 10% for 1983 and eliminated plans for a legal conference in the biennium.

At the urging of the U.S. delegation, the Council cut \$60,000 from the Secretariat's travel funds, reduced funding for overtime by \$30,000 and eliminated funding for *IMCO News* from the regular budget—a savings of \$70,000. In addition the Secretary General pledged to find \$150,000 in other reductions. He was able to exceed that promise, identifying \$159,200 in cuts. The result was a budget proposal containing no real growth.

At this session the Panamanian delegation again raised its objection to being excluded from the benefits of the special concession for small, less developed countries with large fleets. Panama attempted to have its objection referred back to the *Ad Hoc* Working Group.

In anticipation of the Assembly session, the Council discussed the Panamanian objection, examined the complete report of the *Ad Hoc* Working Group and after acrimonious debate decided to forward the report and its recommendations to the Assembly, together with comments, reservations, and objections made in the *Ad Hoc* Working Group and in the Council.

ASSEMBLY

The 12th session of the IMCO Assembly, held November 9-20 in London, took up the matters referred to it by the Council. It approved the 1982-83 budget proposal, with the \$749,200 in reductions recommended by the Council and identified by the Secretary General. The budget resolution, assuming an exchange rate of \$2.00 to the pound sterling, provides for total expenditures in the biennium of \$25,705,500. The net to be assessed is \$10,808,100 in 1982 and \$13,843,400 in 1983.

Noting the reduction in the program of meetings of the Organization, the Assembly had passed a resolution on the Objectives of the Organization in the 1980's. This resolution underlined the move by IMCO from the adoption of new treaties and international regulations to greater emphasis on the effective implementation of existing conventions and regulations. This emphasis, which had characterized IMCO's work in recent years, is to be maintained for a further period. The resolution recognized that the subjects already on

IMCO's work program are sufficient to absorb the available time and effort of the Organization for the rest of the decade and directed the Council to coordinate the work of IMCO's committees and their subsidiary bodies through the assignment of priorities among general subject areas and other actions.

One of the most significant parts of the resolution was the recommendation that proposals for new conventions or amendments to existing conventions are to be entertained "only on the basis of clear and well-documented demonstration of compelling need." In determining that such a need exists, the Council and the committees were enjoined to take into account the Assembly's view that it is undesirable to modify conventions not yet in force. Even with regard to existing conventions, the resolution stated that amendments were desirable only after such instruments had been in force for a reasonable period of time and experience had been gained of their operation. Other considerations in deciding to adopt new conventions or amend existing ones were the costs to the maritime industry and the burden on the legislative and administrative resources of member states. The United States took a leading role in initiating and winning approval of this resolution, which should rationalize the operation of IMCO and contribute to budgetary restraint.

On the question of assessments the Assembly greeted the *Ad Hoc* Working Group's recommendations with skepticism. Many small developing countries complained that assessment relief for some members would mean assessment increases for most other members. Rather than adopt the *Ad Hoc* Working Group's recommendations, the Assembly decided to keep the existing assessment system and refer the question of assessments back to the *Ad Hoc* Working Group for further study. The U.S. share of IMCO assessments, therefore will continue as before, at approximately 4.5%.

In the Assembly's technical committee the United States lobbied successfully for selective deferral of implementation of the 1969 Tonnage Convention. The United States argued that smaller ships, such as those used in oil exploration and service, should continue to be exempted from the Convention. If subjected to inflexible rules these smaller ships would have to meet unreasonable safety standards dictated (according to measured tonnage) by the 1974 SOLAS Convention. Agreeing that the U.S. position was sensible, even-handed, and advantageous, the Assembly postponed full application of the Tonnage Convention until 1994.

For many of IMCO's newer members, the Organization's most important service is technical assistance. Assembly speakers remarked unanimously on the efficiency and effectiveness of IMCO's technical assistance program. They praised an offer by Sweden to establish an International Maritime University and urged support for this project from the UN Development Program. The United

States agreed to support this proposal within the limits imposed by shrinking UNDP funds.

The incumbent Secretary General of IMCO, C. P. Srivastava, won the Assembly's unanimous support for reappointment to another 4-year term. Delegations honored Srivastava for his effective administration, his dedication to IMCO's technical assistance program, and his disciplined stewardship of the IMCO budget.

Each regular session of the IMCO Assembly features the election of the next Council. The United States was reelected as one of six states with the largest interest in providing international shipping services. The members elected to the 1982-83 Council are Bangladesh, Brazil, Canada, Egypt, France, the Federal Republic of Germany, Greece, India, Italy, Jamaica, Japan, Kuwait, Lebanon, Liberia, Mexico, Nigeria, Norway, Panama, Poland, Saudi Arabia, Spain, U.S.S.R., the United Kingdom, and the United States.

International Telecommunication Union

Zimbabwe and Grenada joined the International Telecommunication Union (ITU) in 1981, increasing the Union's membership to 156 countries.

ADMINISTRATIVE COUNCIL

The Administrative Council, which governs the Union between Plenipotentiary Conferences, faced a difficult agenda at its 36th session, June 1-19, 1981, the second-to-last session before the convening of the 1982 Plenipotentiary Conference. Two conflicting imperatives faced the Council: the need to modernize the Union's essential regulatory services and the need to clamp down on budgetary growth. The United States, as a member of the 36-member Council, took a leading role in the deliberations on these issues. Working with like-minded delegations, the U.S. delegation pressed the ITU Secretariat to produce a no-growth budget for 1982. When the Administrative Council failed to achieve this goal, the U.S. Representative stated for the record that the United States was "unable to concur in the decision to accept the budget."

Despite budgetary constraints the Administrative Council found a way, with U.S. support, to begin the Union's most important modernization project: computerization of the International Frequency Registration Board's (IFRB) radio frequency spectrum management. Commonly referred to as the IFRB computer project, this computer software system would replace the IFRB's obsolescent

system of assigning frequencies, which has a backlog of over 84,000 applications. The full project, if implemented as proposed, would have cost 50,000,000 Swiss francs over 5 years. Concerned with the expense and uncertainty of the Union's capacity to absorb such a large investment, the Administrative Council refrained from full implementation, deciding instead to proceed with interim measures. These will get the computer project underway and will avoid strain on the Union's administrative capacities. They will cost 10,000,000 Swiss francs in 1982, but of this amount 4,012,000 Swiss francs would have been required by the IFRB in any case to reduce the backlog of frequency applications and carry out the decisions of the 1979 World Administrative Radio Conference (WARC-79). The Council's decision on interim measures was subject to consultation with the Union's membership because the cost exceeded the ceiling established in Additional Protocol 1 of the 1973 ITU Convention. This consultation was accomplished by telegram, with the membership approving.

To hold down the budget and ease demands on the Secretariat, the Administrative Council decided to delay and extend the schedule of world and regional administrative radio conferences. Instead of running from 1982 through 1986, as decided by WARC-79, the Conferences will now begin in 1983 and end in 1988, with a maximum of one world conference and one regional conference per year.

After considerable debate and telegraphic consultation of Union members, the Administrative Council decided that the Plenipotentiary Conference should last for 5½ weeks, from September 28 to November 5, 1982. The U.S. delegation suggested that efforts be made to conclude the Conference's work in less than the allotted time.

As a result of the Administrative Council's decisions, the Union's 1982 assessed budget is 19.51% higher than the 1981 budget (69,331,300 Swiss francs compared to 58,011,750 Swiss francs). Of this increase 11.53% (6,690,000 Swiss francs) results from the IFRB computer project interim measures. An additional 6.25% (3,626,000 Swiss francs) results from the scheduling of the Plenipotentiary Conference in 1982. The computer project is an extraordinary capital investment, different from program growth. It promises more efficient operation for the IFRB with eventual savings for the Union. The frequency registration workload is growing 11% per year, threatening to make the present manual and semi-automatic system increasingly expensive and eventually unmanageable. The Plenipotentiary Conference is a recurrent though not regular expenditure and therefore not program growth. The remaining 1.73% budgetary increase, however, cannot escape the label program growth. The United States therefore lodged a statement on non-concurrence with the Union's budget.

The 1982 budget as adopted by the Council calls for a contributory unit for members of 161,800 Swiss francs (an increase of 19.23% over 1981). As the United States has a 30-unit membership, its contribution for 1982 is 4,854,000 Swiss francs, about 6.99% of the total membership assessment. The Council adopted a unit for recognized private operating agencies and scientific and industrial organizations (RPOA's and SIO's) of 32,300 Swiss francs (a 42.92% increase over 1981). The unit for RPOA's and SIO's is thus one-fifth of the contributory unit for administrations, instead of one-sixth, as had prevailed for many years. Several Council members proposed a ratio of one-quarter or even one-half. The United States was one of only four delegations to express concern that this increased levy might encourage commercially oriented organizations to decrease their participation in the ITU.

OTHER PERMANENT ORGANS

The permanent technical organs of the ITU—the International Radio Consultative Committee (CCIR), the International Telegraph and Telephone Consultative Committee (CCITT), and the International Frequency Registration Board (IFRB)—were all active during 1981.

The CCIR develops the technical bases for all world and regional radio conferences of the ITU. During 1981 the CCIR continued to focus on technical preparations for 10 world and regional conferences to be held in the next 5 to 6 years. CCIR Study Groups completed their work for the period 1978–81 pursuant to the program of work approved by the 14th plenary Assembly in 1978. The CCIR will meet again in plenary Assembly in Geneva in February 1982 to consider the work developed during the preceding 4 years and to adopt new questions for examination between 1982–86.

CCITT's Study Groups continued their work for the period 1980–84 pursuant to the program approved for them by the 7th plenary Assembly of the CCITT in 1980. Studies of technical, operating, and tariff questions with respect to telegraphy and telephone were undertaken to further the development of recommendations that largely govern the operation of the world's telecommunications networks. Meeting in November 1980 in Geneva, the 7th plenary Assembly approved 395 recommendations developed during the preceding 4 years and adopted 353 questions for study between 1980 and 1984.

The essential function of the IFRB is the technical examination and registration of radio frequency notifications, including those for space telecommunications systems, to ensure interference-free

operations throughout the world. The IFRB and its staff continued to carry out this function fully and effectively.

TECHNICAL ASSISTANCE

As a UNDP executing agency the ITU assists developing nations to improve their telecommunications capabilities by the establishment and staffing of training institutes, a program of technical telecommunications seminars, and the recruitment of technical experts from developed countries, including the United States, to advise on specific telecommunications projects and to conduct studies in developing countries.

Mention should be made of the "Special Autonomous Working Parties" (GAS), set up to consider questions of particular interest to the developing countries. The GAS has published technical manuals on rural telecommunications and networks planning, transmission systems, and economic conditions and telecommunications development, which are much sought after by developing countries.

A working group established at the 1979 Administrative Council meeting to review and assess all ITU technical cooperation and activities since 1973, and make recommendations, as necessary and appropriate, for improving the Union's capability to discharge its duty in this field as set forth in Article 19 of the Convention, met again during the 1981 Council session, and will meet again in the final Council session prior to the time of the 1982 Plenipotentiary Conference.

MULTIFREQUENCY BROADCASTING CONFERENCE

The second session of the Regional Administrative Multifrequency (MF) Broadcasting Conference was held from November 9 to December 18, 1981, in Rio de Janeiro, Brazil. Although Cuba walked out, the Conference completed the first Western Hemisphere agreement on MF broadcasting and made substantial progress on an associated frequency assignment plan for the region. Postconference procedures were established for continuing bilateral and multilateral negotiations to complete the frequency assignment plan. The United States will participate in these negotiations.

Universal Postal Union

During 1981 St. Vincent and the Grenadines, Tuvalu, and Zimbabwe became members of the Universal Postal Union (UPU), bringing membership at the end of the year to 164.

The 40-member Executive Council is the Union's administrative body and the Consultative Council for Postal Studies (CCPS) is its technical body. The United States was elected to the Council by the 1979 Rio de Janeiro UPU Congress for the 5-year term 1980-84, inclusive, and was appointed Chairman of the Council's Finance Committee. The United States was also elected by the Rio de Janeiro Congress to the CCPS, as a member for the same 5-year period.

EXECUTIVE COUNCIL

The Executive Council held its annual session from April 27 to May 14, 1981, at UPU Headquarters in Bern, Switzerland to continue its responsibility of administering the work of the Union through to the next Congress (1984), under the chairmanship of Brazil.

The Council approved a net budget for 1982 of 18,532,500 Swiss francs, including a payment of 380,000 Swiss francs to maintain the Reserve Fund. The UPU's 164 members, representing a total of 1,059 contribution units, share the costs on the basis of voluntarily selected contribution units.

No funds for direct postal technical assistance are included in the UPU budget. The principal source of financing postal technical assistance is the UNDP. For 1981 the estimated value of postal projects under the UNDP was \$3.3 million. Also, a UPU Voluntary Special Fund supports postal technical assistance, but the United States is not a contributor. In 1981 the UPU Special Fund Program amounted to 340,000 Swiss francs.

In 1980 the Executive Council approved the creation of five new posts at the UPU Secretariat in Bern in the General Service category, the last of which became effective January 1, 1981. The staff complement on January 1, 1981, was therefore 135 posts, including 2 posts of elected officials (Director General and Deputy Director General), 16 posts in the Senior category, 37 in the Professional category, and 80 in the General Services category.

The postal studies that were underway in the technical committees of the Council throughout 1981 affect the methods and costs of exchanging international mail with other countries. These studies cover charges for special services employed in the international postal operations, such as general delivery, insurance, the settlement of international postal accounts, regulations for the International Express Mail service, charges for transit mail and terminal dues on mail imbalances, basic airmail conveyance rates, the principles and methodology of calculating internal air conveyance dues, and the usefulness and applicability of the forms used in the documentation of international mail. The United States is participating fully in the

conduct of these studies. These matters are of special bearing and concern because of the large volume of international mail processed by the United States.

CONSULTATIVE COUNCIL FOR POSTAL STUDIES

The Consultative Council for Postal Studies (CCPS) held its annual meeting October 22-29, 1981, at Bern, Switzerland. The basic purpose of this meeting was to update the plans for and review the progress made on the studies assigned this body by the 1979 UPU Congress. These studies fall in seven general categories: (1) the future of the Postal Service; (2) postal operations; (3) postal mechanization, building, and motor transport; (4) financial services and accounting; (5) staff; (6) postal management; and (7) international post. The United States has a strong interest in the studies of the Executive Council and CCPS because of their potential impact on international mail operations and will participate fully in their conduct.

World Meteorological Organization

With the accession of Zimbabwe and Saint Lucia, membership of the World Meteorological Organization (WMO) increased during 1981 to 154 (149 states and 6 territories maintaining their own meteorological services).

Significant developments in 1981 occurred primarily in the ambit of the 33rd session of the Executive Committee of the Organization which met June 8-17 in Geneva. The Executive Committee is composed of 29 directors of national meteorological or hydrometeorological services, each serving in an individual capacity; it meets at least once a year to supervise the implementation of programs approved by the WMO quadrennial congress.

The Executive Committee designated Dr. R. E. Hallgren (U.S.) to replace G. Benton, former U.S. member. The Committee also designated Mr. M. A. Badran (Egypt), Mr. V. Richter (Czechoslovakia), and Mr. Jou Jingmeng (China) as acting members to succeed their predecessors from the same countries.

The Secretary General submitted to the Scientific and Technical Advisory Committee (STAC) a report containing preliminary proposals for activities during the 9th and 10th financial periods, which include the 8 years from 1984 to 1992. The document will serve as the basis for the elaboration of the draft long-term plan which will be reviewed and approved by the ninth quadrennial Congress in 1983.

The main thrust of the organization's activities would continue to be the World Weather Watch (WWW) and the World Climate Program (WCP).

The Executive Committee agreed that the organization should concentrate its future efforts on key projects that either cannot be undertaken at the national level or that are considered most promising for stimulating members' own activities in connection with the overall purposes of the organization. The Committee recognized that in some instances substantial differences may exist between national priorities and those of the organization. To assess the intricate interrelationships between national and international projects, the Committee agreed, would be one of the most important responsibilities of STAC. The Executive Committee studied a report prepared by its panel of experts on the scientific and technical structure of the organization with a view of providing guidance concerning future work. It was agreed that the present structure should not be changed radically and the panel was asked to avoid, as far as possible, proposals that would entail changes to the WMO Convention, and to concentrate on studying terms of reference, functions, and working methods of the various constituent bodies.

WORLD WEATHER WATCH

The U.S. Representative joined other Committee members in expressing concern over progress in the implementation of the WWW, which the United States feels should continue to be given highest priority when considering WMO's regular budget resources, as well as the priorities of the Voluntary Cooperation Program (VCP) and of other forms of technical assistance. The importance of adequate training of staff engaged in WWW operations was stressed repeatedly. The Committee agreed that WWW projects should be initiated only after a full examination of actual operational problems and of the capability of member countries to contribute to their solutions.

METEOROLOGICAL APPLICATIONS AND THE ENVIRONMENT

The Executive Committee approved the manner in which the program on agriculture and desertification has been executed. The Committee approved a symposium on crop weather models to be held in 1982, with the cosponsorship of the European Plant Protection Organization (EPPO).

The Executive Committee recognized that considerable importance should be given to close cooperation between agricultural and

meteorological sectors at the national and regional levels and suggested that FAO and WMO jointly foster such collaboration.

Although the flow of data from the Background Air Pollution Monitoring Network (BAPMoN) is increasing, gaps in the network still exist. The considerable support provided by the United States in operating certain central BAPMoN facilities was acknowledged. Cases were cited, however, where monitoring equipment purchased and delivered to members is not utilized fully, and the members concerned and the Secretary General were requested to do everything to bring this equipment into full operation as soon as possible. Because environmental monitoring is such an interdisciplinary nature, the need for cooperation and collaboration between international agencies and institutions was underlined.

RESEARCH AND DEVELOPMENT

The United States joined other Executive Committee members in indicating considerable interest in limited area weather prediction modeling for operational forecasting, and especially for compiling a catalog of analysis and forecasting models requiring limited computer power. In the field of tropical meteorology research, particular importance was attached to a pilot study to assess the predictability of meteorological and phenomenological parameters in relation to various scenarios of agricultural needs, and the members were of the opinion that this pilot study should be conducted in two areas, namely the Sahel and India.

The valuable work undertaken in the stratospheric ozone research by the United States and Canada, as well as the support provided by UNEP was acknowledged, and the hope expressed that that support would be maintained.

A resolution prolonging until 1986 WMO's participation in arrangements for preparing and disseminating warnings of major stratospheric changes was adopted.

WORLD CLIMATE PROGRAM

At previous sessions the Executive Committee had discussed the possibility of establishing a permanent high level body to oversee the whole World Climate Program. After further discussion the Committee came to the conclusion that, given the complex ramifications of the WCP, such a body, if it were to represent fully all interests, would be too cumbersome to function effectively. Favored instead were

periodic informal meetings between the chairman of the Joint Scientific Committee (JSC), the UNEP Scientific Advisory Committee, the Advisory Committee for the World Climate Program Application Program, and World Climate Application Program. The feeling generally was that it was too early to convene an intergovernmental/interagency conference on the WCP.

HYDROLOGY AND WATER RESOURCES

In view of WMO's major responsibility in respect of operational hydrology, the Executive Committee drew the attention of the Commission for Hydrology on the need to devote more attention to activities of hydrological forecasting. Noting that already 45 members had designated national hydrological multipurpose sub-programs (HOMS), the Committee hoped that the publication of the first edition of the HOMS reference manual would stimulate more members to join.

EDUCATION AND TRAINING

Central to the successful implementation of WMO programs is the formation of trained personnel in member states, particularly the developing countries. The Secretary General was asked to study the possibility of creating in Region II (Asia) an advanced training center where training could be given in various specialized fields of meteorology and operational hydrology, and research on problems of regional interest could be conducted. The eighth quadrennial Congress of the WMO in 1979 had authorized a worldwide symposium on education and training during the current financial period, and the Committee decided that it should be held in 1982 and that it should concentrate on the subject of climate change and variability.

The Executive Committee awarded the 26th WMO prize to Professor B. Bolin (Sweden). The WMO Research Award for Encouragement of Young Scientists was conferred jointly on Mr. S. K. Mischra and Mrs. P. S. Salvekar (India) for their paper entitled "The Role of Paroclinic Instability and the Development of Monsoon Disturbances." "The Weather Observer" is the theme that has been chosen for the World Meteorological Day, March 23, 1983.

International Labor Organization

This was the first full year of U.S. membership in the Geneva-based International Labor Organization (ILO) since it rejoined in

February 1980. By the end of the year 146 countries were ILO members.

Unlike some years in the past, notably before U.S. withdrawal in 1977, when extraneous political issues tended to dominate, throughout this year and particularly at the 67th session of the International Labor Conference, June 3-24, the ILO adhered closely to its technical and labor-related work. It applied its Conventions and rules on international labor standards more objectively and with greater respect for due process than on some past occasions. This applied equally to a citation against the Soviet Union and the handling of two complaints against the United States. The exceptions to these trends were adoption of an unnecessarily unbalanced declaration on apartheid in South Africa and of a politically motivated resolution on disarmament.

INTERNATIONAL LABOR CONFERENCE

The annual International Labor Conference is the major ILO event. Nearly 1,900 government, employer, and worker delegates and advisers attended, in accordance with the ILO's unique tripartite structure. Secretary of Labor Raymond J. Donovan headed the large U.S. delegation, which included experts able to make substantial contributions to the several technical items on the agenda. The president of the AFL-CIO attended as part of the U.S. workers delegation and the president of the U.S. Council of the International Chamber of Commerce, as part of the employers delegation.

The Conference's tone was set early by the appearance and speech of Lech Walesa, leader of the Solidarity labor movement in Poland, an organization with important ILO ties. In an overall moderate statement he praised ILO assistance and spoke in support of human rights everywhere.

The U.S. direction was established in a personal message from President Reagan, stating that the ILO "can play a special role in encouraging programs which help people help themselves." It continued:

We rededicate ourselves to the principles of human dignity and freedom so clearly defined in the ILO Constitution and the Declaration of Philadelphia, and we promise to work with other governments and with workers and employers to make the ILO a positive force for human development.

International Labor Standards

International labor standards in the form of both a convention and a recommendation were adopted by the Conference in three areas. Two of the instruments promote measures to extend collective bargaining to all sectors of economic activity, including agriculture and the public sector. Because this is broader coverage than provided

in the United States, the U.S. Government and employer delegates abstained on the Convention but were able to support the recommendation. A second pair of instruments was meant to ensure equality of treatment and opportunity for workers with family responsibilities. The U.S. Government supported both the convention and recommendation on this subject; the employer delegate abstained on both. The third set of instruments dealt with occupational safety and prevention of health hazards and improvement of the working environment. Because of difficulties with certain provisions, the U.S. employer delegate cast the only vote against the convention and abstained on the recommendation, while the U.S. Government voted for them. The U.S. worker delegate voted in favor of all six conventions and recommendations.

In addition the Conference began work in preparation for the 1982 conference on international standards on termination of employment at the employer's initiative and on social security rights of workers and their families who work outside their home countries. The U.S. Government and employer delegates were unable to support the preliminary results of the Conference's consideration of termination of employment; the U.S. worker delegate was in favor.

Resolutions

The Conference adopted four resolutions, all by consensus, on topics that previously had not been designated agenda items. Two of the resolutions, "Training and Retraining of Managers in Both Private and Public Undertakings as well as the Encouragement of the Spirit of Entrepreneurship Especially in Developing Countries" and the other calling for further ILO activity in vocational training, were supported strongly by all U.S. delegates. A long rhetorical resolution on the role of the ILO in the International Development Strategy for the Third UN Development Decade was adopted only after lengthy discussion and consideration of numerous amendments in committee.

The most controversial of these documents was a Soviet-sponsored resolution on the economic and social consequences of disarmament. As a result of United States and Western efforts, the draft resolution's proposal that this become an agenda item for a future Conference was eliminated and the text was further moderated. The amended version was then adopted without objection. (At the Governing Body meeting in November, it was decided that suggestions for implementing this resolution would be postponed until the following year.)

Human Rights

A new system for citing countries that do not live up to their obligations was inaugurated by the Conference. Seven countries were

named in "special paragraphs" as having continuing problems in upholding ILO standards in the human rights area, that is, with regard to forced labor, freedom of association, or discrimination in employment.

The most dramatic case was that of the Soviet Union, cited for discrepancies between its laws and practices and ILO standards on freedom of association. When it had been cited in 1974 and 1977 the committee report containing the citation had not been adopted by the full Conference; in this instance, although the Soviets and their allies denied the charges vigorously in committee, the report was adopted in plenary by consensus. Among the other countries cited, Guatemala was the only one that also was criticized in the more serious "continued failure to implement" category.

The new committee on apartheid revised and brought up to date a 1964 declaration concerning South Africa's apartheid policy. The U.S. Government participated actively in the committee, but abstained in the final vote of 431 (U.S. worker and employer) to 0, with 7 abstentions. In explanation of vote, the U.S. Government restated its abhorrence of apartheid but said it could not support assistance to national liberation movements dedicated to destroying a Government recognized by a substantial number of other governments and which is a UN member. The United States also expressed the belief that the monitoring of the revised declaration exceeded the competence of the ILO.

PROGRAM AND BUDGET

The Conference approved a \$230 million budget for the biennium 1982-83, including \$182 million for the program portion. This amounted to a 4.7% program increase over the 1980-81 budget, and thus was not in accord with the U.S. policy of zero net program growth in international organizations. In recognition of the Director General's serious effort to restrain growth, the U.S. Government (and the employers representative) abstained on the budget rather than voting against it. The United States is assessed 25% of this budget.

During the year the ILO delivered \$109 million of technical assistance to developing countries. This is financed primarily by the UNDP (\$56 million) and by voluntary trust funds for the ILO (\$40 million), with an additional \$6 million coming from the UN Fund for Population Activities (UNFPA) and \$7 million from the ILO budget. The United States contributes substantial amounts to the UNDP and the UNFPA, but does not participate in the ILO voluntary funds. The largest portion of technical assistance is in training (\$44 million), which includes vocational training, management training, and small enterprise development. Other important programs in-

clude employment promotion, manpower planning, rural employment, working conditions, labor statistics, social security administration, workers' education, and cooperatives.

POLAND

Events in Poland continued to hold the ILO's attention. In addition to Lech Walesa's appearance at the annual Conference, Director General Blanchard made a personal visit May 11-14 to Poland.

When the Polish Government declared a state of martial law on December 13, the Director General the next day cabled the Polish Prime Minister offering ILO assistance to reestablish trade union freedoms. A few days later he addressed a personal message to Prime Minister Jaruzelski suggesting that Poland receive an ILO direct contact mission. By the end of the year, the Polish Government had rejected the ILO offers under then-current circumstances; the Director General continued his efforts.

COMPLAINTS AGAINST THE UNITED STATES

Shortly after the United States withdrew from the ILO in 1977 the World Federation of Trade Unions (WFTU), based in Prague, presented a complaint that a trade union leader in Puerto Rico was found tortured and dead a few days after being arrested by the police. The ILO appointed a commission to consider the case. The Chairman of the Fact-Finding and Conciliation Commission, Sir William Douglas, Chief Justice of Barbados, visited Puerto Rico in April 1981, having delayed until the completion of a murder trial in the case. As a result of his investigation, the Commission concluded that the allegations by the complainant organization were without foundation and that therefore no further action was required. It also noted that the WFTU had supplied no evidence to support its charges. The Governing Body took note of the Commission's report without comment at its November session.

The International Confederation of Free Trade Unions (ICFTU), based in Brussels, as well as the WFTU, filed complaints against the U.S. Government for its handling of a strike by the Professional Air Traffic Controllers Organization and the eventual dismissal of many of the strikers. The AFL-CIO supported the ICFTU complaint and disassociated itself from the WFTU complaint. The Governing Body's Committee on Freedom of Association concluded, after studying the complaints and the detailed U.S. written response, that the denial of the right to strike to this category of employees "does not constitute a violation of the principles of freedom of association." It noted "the severe nature of the various actions taken against the air traffic controllers," but said that it "is unable to uphold the allegation that

adequate procedures do not exist to safeguard the interests of workers not enjoying the right to strike.”

When the November session of the Governing Body took up the Committee's report, the Soviet worker representative launched an attack against the United States and against the Committee. The U.S. Government representative and Committee members replied to this attack forcefully, the former citing efforts by the Administration to avoid a strike, its scrupulous concern for due process, and the positive record of U.S. Government labor-management relations. The Governing Body then took note of the Committee report without a vote.

The Governing Body at its May session created a new Standing Committee on Multinational Corporations to Monitor Implementation of the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy. The Declaration had been adopted in 1977 just after U.S. withdrawal from the ILO. The U.S. Government and the U.S. employer and worker members of the Governing Body have all been given membership on this Committee.

International Atomic Energy Agency

In his message of September 22, 1981, to the 25th regular session of the General Conference of the International Atomic Energy Agency (IAEA), President Reagan confirmed U.S. support for the IAEA, saying in part, “Nuclear energy offers the prospect and the promise of helping many nations achieve greater energy abundance and security. At the same time, it is more apparent than ever before that we must remain vigilant in preventing the misuse of nuclear technology and material. The proliferation of nuclear explosives will threaten international security. The United States is firmly committed to meeting these challenges.” In these remarks President Reagan recalled the two-fold objective which had led, as the result of a U.S. initiative, to the founding of the Agency 25 years earlier. This objective was to encourage the development of the peaceful uses of atomic energy throughout the world, while ensuring that assistance provided by the Agency or at its request, or under its supervision and control, would not be used to further any military purpose.

Headed by a Director General appointed for 4 years, the Agency operates under the executive leadership of the Board of Governors, composed of 34 member states, which in turn reports to the annual regular session of the General Conference in which all 111 member states may participate.

The year was marked by the retirement of the Agency's second Director General, Dr. Sigvard Eklund (Sweden), after 20 years of devoted and able leadership, and the election of his successor, Dr. Hans Blix (Sweden).

GENERAL CONFERENCE

The 25th session of the General Conference opened on September 21 at the Hofburg Palace in Vienna. Mr. Manaspas Xuto (Thailand) was elected by consensus to serve as President of the session. The U.S. delegation was headed by W. Kenneth Davis, Deputy Secretary of the Department of Energy. Serving as alternates were Ambassador Richard T. Kennedy, U.S. Representative, and Ambassador Roger Kirk, Deputy U.S. Representative to the IAEA.

The most important action taken by the Conference was the selection of the Agency's third Director General. Under the Agency's Statute the appointment of the Director General is the responsibility of the Board of Governors, subject to approval by the General Conference. Normally the appointment is accomplished by the Board at its June session preceding the General Conference at which the Board action is to be approved. This time, however, a spirited contest took place among several candidates, none of whom could obtain the necessary two-thirds majority. Even as the General Conference convened, the Board seemed to be hopelessly deadlocked over the issue. Certain developing member states resisted efforts to resolve the deadlock to force a resolution of other issues involving basic changes in the structure and operational context of the IAEA on terms favorable to them but unacceptable to most of the advanced countries. Following several days of debate the Board succeeded on the last day of the conference in providing the necessary two-thirds majority to Dr. Hans Blix, a former Swedish Foreign Minister. He was elected as the new Director General by acclamation, once it became clear that he had the necessary majority. The General Conference subsequently approved the appointment and Dr. Blix immediately took the oath of office. In the final hours of its 25th session, the General Conference conferred on Dr. Eklund, the retiring Director General, the title of Director General Emeritus.

The spirit of compromise and accommodation which has characterized previous meetings of the IAEA's governing bodies also was lacking in the debate on the Israeli bombing of the Iraqi reactor. Debate on the issue was launched in the Board of Governors at its June 1981 meetings and culminated in the passage of a Yugoslav-sponsored resolution that strongly condemned Israel "for this premeditated and unjustified attack on the Iraqi nuclear research center, which is covered by Agency safeguards," and which recommended that the General Conference "consider all the implications of this attack, including suspending the exercise by Israel of the privileges and rights of membership," and the suspension of technical assistance. This resolution was adopted by a vote of 29 (including the EC member states and Japan) to 2 (U.S.), with 3 abstentions. The United States opposed and voted against the resolution because it

preempted prerogatives falling within the competence of the UN Security Council; because the United States opposed in principle the exclusion of any member from an international organization except in strict compliance with statutory provisions, which did not exist in this case; and because all member states have the right to benefit from Agency technical assistance. The United States did join others in the UN Security Council in condemning the Israeli attack.

Against the background of the debate and action taken by the Board of Governors, it was anticipated that strenuous efforts would be made in the General Conference to obtain action suspending Israeli membership in the Agency. Although the issue was debated heatedly, the United States succeeded in mobilizing enough support to constitute a blocking third to Iraq's proposal to suspend Israel, which would have required a two-thirds majority. When it became clear that this would not be possible, this key part of the proposed draft resolution was dropped and replaced by a provision calling upon the next General Conference to consider the matter, which effectively would put off the debate on the suspension of membership for another year.

The resolution finally put forward was introduced by Algeria and cosponsored by 17 other countries. It called the Israeli attack "an attack on the Agency and its safeguards regime" and suspended immediately the provision of technical assistance to Israel, but it delayed to the 26th regular session in 1982 the question of suspension of that country's membership in the Agency. The resolution was adopted by a recorded vote of 51 to 8 (Bolivia, Chile, Colombia, Guatemala, Israel, Paraguay, the United States, and Uruguay), with 27 abstentions (including all of the Western European countries voting, Australia, Canada, and Japan).

In explanation of vote, the U.S. Representative stated that the United States could not accept the view that the Israeli action constituted an attack on the Agency and its safeguards regime or caused damage to that regime. The United States also opposed the suspension of technical assistance to Israel on the grounds that such a sanction was contrary to the Agency's own Statute. Finally, the United States particularly opposed that provision of the resolution requesting the General Conference to consider the question of suspension at its next regular session in the event Israel had not by then complied with the provisions of UN Security Council resolution 487, which, *inter alia*, called on Israel to place all of its nuclear facilities under Agency safeguards. While strongly supporting the fullest possible acceptance of Agency safeguards by member states, the United States maintained that there was no legal basis for suspending Israel. The United States pointed out that it had urged and would continue to urge Israel to sign the Treaty on the Non-Proliferation of Nuclear Weapons, to accept Agency safeguards on

all its nuclear facilities, and to work toward a nuclear-weapon-free zone in the Middle East. Any hope of progress in those endeavors would be damaged severely by Israel's suspension from Agency membership. Mr. Davis noted that the problem of recurring violence in the troubled Middle East was a political one, the solution to which lay outside the Agency's mandate. The proposal to suspend Israel from membership in the Agency was, therefore, a matter of grave concern.

In conjunction with the Director General's succession and Israeli suspension issues, a great deal of debate took place over a number of issues of particular interest to many developing countries. This debate was led by countries that decided to use the impasse over the new Director General as a means of extracting concessions from the advanced countries in return for an accommodation on the Director General issue. These other issues included a proposed expansion of the Board of Governors (which had been discussed inconclusively for the past several years), the method of financing technical assistance, and the limited representation of developing countries in senior, policymaking posts on the staff of the Secretariat.

The Board expansion issue arose out of concern by several African and south Asian members that their areas are under-represented on the Board. The United States and several other members, however, have expressed serious concern that the 34-member Board already is large enough and that any further expansion would make it too unwieldy and inefficient (it has been expanded twice since the IAEA's founding in 1957).

A number of developing countries believe the present system of financing technical assistance from voluntary contributions is inadequate, and they have been advocating that such assistance should be financed from the regular (assessed) budget. The United States generally has opposed the financing of technical assistance from the assessed budgets of organizations in the UN system and has held a firm position in this respect in the IAEA for several years. The United States and others have maintained that the voluntary system is working well. They are concerned that such a change could impose a serious hardship on several developing countries with limited convertible currencies at their disposal (assessments must be in convertible currencies) and that such a change actually could result in less technical assistance being made available to developing countries. The United States, however, indicated that it was prepared to work with the developing countries in establishing planning targets for the Technical Assistance Fund for several years in advance, which would provide the degree of predictability in technical assistance financing desired by developing countries for planning purposes. (Contributions from member states in recent years have always exceeded 90% of the respective targets each year.)

In the end the General Conference adopted resolutions on these issues, although the United States made clear that it was firmly opposed to expansion of the Board and financing of technical assistance from the assessed budget. Thus, these latter two issues, which will be discussed and studied further by the Board of Governors, remain unresolved.

With respect to the staffing issue, support has been fairly widespread for the new Director General's stated intention to fill more senior posts with developing country nationals, and to maintain the highest quality of professional competence in this process. The United States has supported this position.

Turning to budgetary and administrative issues, the Conference appropriated \$86,369,000 to support the regular operations of the Agency in 1982, with \$77,344,000 to be financed from assessed contributions of member states; the U.S. share is \$19,965,819, or 25.8%.

THE COMMITTEE ON ASSURANCES OF SUPPLY

This Committee on Assurances of Supply, established in 1980 to follow up the work of the International Nuclear Fuel Cycle Evaluation, initiated by the United States in 1977, held its 2nd, 3rd, and 4th sessions in 1981, under the chairmanship of Dr. Milan Osredkar (Yugoslavia). The Committee made modest progress in its consideration of problems of international supply of nuclear materials. At its fourth meeting in November, the Committee's substantive work got underway with the establishment of two Working Groups to deal with "Principles of Cooperation" and "Emergency and Back-Up Mechanism" in the field of nuclear supply. The atmosphere surrounding the Committee, however, was not always smooth. At its September meeting prior to the General Conference, the Board of Governors, acting on a proposal by Egypt, voted 18 to 11 (U.S.), with 5 abstentions, to exclude South Africa from future work of the Committee. The U.S. Representative, while confirming U.S. abhorrence of South Africa's racial policies, stated that nevertheless it was the case that all members of the Agency were entitled to participate in relevant Agency activities, and he deplored the fact that a major supplier of uranium was to be excluded from the work of the Committee.

IAEA PROGRAMS

Safeguards

One of the most important of the IAEA's programs is the development and application of non-proliferation safeguards, which

is a system of procedures, including records, reports, and inspections, by which the IAEA can verify that specified material and facilities are not being diverted from their declared peaceful purposes. With the growth of nuclear power, this function of the Agency has assumed greater significance. President Reagan, in his message to the General Conference, took note of this critical relationship when he said, "I am confident that nuclear power will be an important energy source for the United States and other nations. Internationally, we are determined to strengthen the United States as a reliable nuclear supplier under effective safeguards, at the same time that we work together to avoid the spread of nuclear explosives." Mr. Davis further emphasized U.S. concern over expanded nuclear explosive proliferation when he said, "We intend to adhere to a vigorous policy in countering proliferation risks. The further spread of nuclear weapons obviously would be seriously harmful to the security of all nations. It would jeopardize the ability of many nations represented here today to share in cooperative arrangements for the full benefits of the peaceful atom, especially nuclear power."

He went on to say that, "I stress these factors since there are very strong concerns in my Government not only about the need to avoid proliferation but also for the need for states to live up fully to their safeguards obligations under international agreements. We shall view a material violation of safeguards or a nuclear explosion by a non-nuclear weapon state as having profound consequences for international order and U.S. bilateral relations." He also stressed the continued importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Treaty on the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).

During 1981 the number of adherents to the NPT rose to 115 with the accession of Egypt. In response to the NPT's requirement that all parties to the Treaty that already do not possess nuclear weapons accept IAEA safeguards over all of their peaceful nuclear activities, 65 non-proliferation safeguards agreements had come into force.

Three other significant safeguards arrangements, with non-NPT parties, also were negotiated in 1981. Argentina entered into two safeguards agreements with the Agency providing for the application of safeguards to heavy water and to facilities for producing heavy water. The first was an agreement covering the supply of heavy water by the U.S.S.R. to Argentina. The second provides for safeguards on a heavy water plant to be built under agreements between Argentina and Switzerland. The third significant agreement brought under safeguards selected French nuclear facilities voluntarily placed under Agency safeguards by that country. This agreement entered into force on September 12, 1981.

The total number of facilities in non-nuclear-weapon states under IAEA safeguards increased from 772 in 1980 to 844 in 1981, while the

quantity of plutonium under safeguards in such states during the same period, most of which was contained in stored irradiated fuel elements, rose from 63 tons to 76 tons. In addition the quantity of highly enriched uranium (HEU) in such states dropped from 11 tons to 10 tons, while low-enriched uranium rose from about 13.9 tons to almost 15.5 tons and source material, from about 19 tons to nearly 22.2 tons.²⁷

At the September session of the Board of Governors, the Director General informed the Board that, because of certain technological developments, the IAEA no longer could provide the requisite assurance of independent verification that all material at certain on-load fueled power reactors subject to safeguards could be accounted for unless certain technical measures were instituted at such facilities. Discussions were to be initiated shortly with the authorities of countries in which those kinds of facilities were located, with a view toward reaching agreement as soon as possible on the steps necessary to permit the Agency once again to provide the requisite assurances of independent verification. By the end of the year, the Director General reported that the IAEA had made substantial progress in rectifying the situation in all but one country, where negotiations were continuing.

During 1981 the United States worked closely with the Agency's safeguards staff in facilitating implementation of safeguards inspections in the United States pursuant to the U.S.-IAEA agreement for the application of safeguards to selected U.S. facilities, which entered into force on December 9, 1980.

The United States continued in 1981 its special program of voluntary support of IAEA safeguards and other non-proliferation activities. The total value of this program in 1981 was \$5.1 million. Main areas of support in this program included provision to the IAEA of technical experts, training, safeguards system studies, and the development of monitoring equipment. In 1981 a management study of the IAEA Safeguards Department was completed and the IAEA now is evaluating the study with a view to introducing a number of management improvements. Further progress also has been made in examining effective safeguards approaches for sensitive nuclear facilities, such as enrichment and reprocessing plants, although considerably more work remains to be done. The Program of Technical Assistance to Safeguards (POTAS), through which U.S. expertise and technology are transferred to the IAEA, will continue to be a critical factor in the IAEA's ability to meet its safeguards objectives. POTAS has helped to induce other countries, including

²⁷ The 1981 figures for plutonium under safeguards differ from those given the previous year because of improved and more accurate methods of measuring produced plutonium in spent fuel. The reduction in the amount of HEU subject to safeguards in 1981 reflects U.S. policy to use low-enriched uranium and to seek the return of spent fuel containing HEU to the United States for reprocessing.

the United Kingdom, Australia, the Federal Republic of Germany, Canada, Japan, and the Soviet Union to institute similar safeguards assistance programs.

Technical Cooperation

In recognition that the Agency's technical assistance program, over its 25 years of experience, had led to the development of a substantial technical basis in recipient countries, the name of the Agency's program was changed from the "Technical Assistance" to the "Technical Assistance and Cooperation Program."

As in the past the major emphasis of the projects approved for funding under the Agency's Technical Assistance and Cooperation Program continued to be in the application of isotopes and radiation in agriculture, followed by nuclear engineering and technology. Cooperation with developing countries contemplating plans for eventual nuclear power also continued to receive attention.

Traditionally, the thrust of the Agency's Technical Assistance and Cooperation Program has been directed toward a relatively large number of small, short-term projects. With the growing maturity of nuclear energy programs in the developing countries, however, greater attention is being given to the development of larger projects running over a period of years. It is anticipated that this tendency will receive greater emphasis in future programs.

The total value of member state voluntary contributions in support of the Technical Assistance and Cooperation Program in 1981 was about \$16.4 million. Of this amount about \$11.9 million was contributed in cash, while the remainder consisted of in-kind contributions of equipment, expert services, fellowships, etc. The U.S. contribution totaled \$6.85 million, \$3.12 million in cash and the remainder in-kind.

Nuclear Safety and Environmental Protection

The Agency continued in 1981 to give major emphasis to this area. Work continued on the development of an up-to-date set of internationally agreed safety standards for nuclear power plants, and by the end of the year this work neared completion. The Agency also was in the final stage of issuing a revision of its "Basic Standards for Radiation Protection."

In recognition that a successful solution to the problem of safe and reliable disposal of radioactive waste was critical to the full development of nuclear power, the Agency in 1981 initiated the development of a series of guidelines for underground disposal and continued other work in this field.

To fill the need for international planning in the event of nuclear accidents, the United States proposed to the Board of Governors that

work begin on the development of an international convention on nuclear safety cooperation and mutual emergency assistance in connection with nuclear accidents. In response to this U.S. initiative, the Director General made plans to convene a meeting to consider this proposal in 1982.

BOARD OF GOVERNORS

Eleven vacancies on the Board of Governors for 1981-82 were filled by the election of Colombia and Panama (Latin America), the Netherlands and Spain (Western Europe), Czechoslovakia and Romania (Eastern Europe), Algeria and Zambia (Africa), Bangladesh (Middle East and South Asia), and Indonesia and the Republic of Korea (Southeast Asia and the Pacific). These members will serve for 2 years from the end of the 25th session of the General Conference. Other members of the new Board are Australia, Brazil, Canada, Egypt, Federal Republic of Germany, France, India, Italy, Japan, U.S.S.R., the United Kingdom, and the United States, all designated by the Board of Governors in June as the most advanced in the development of atomic energy on a worldwide or regional basis in accordance with the IAEA Statute. The remaining members of the Board were elected by the 24th General Conference in 1980 and include the following: Argentina, Peru, Uruguay (Latin America); Sweden and Turkey (Western Europe); Poland (Eastern Europe); Nigeria and Sudan (Africa); Iraq and Lebanon (Middle East and South Asia); and Malaysia (Southeast Asia and the Pacific).

The new Board, meeting immediately after the adjournment of the General Conference, elected Mr. Hidetoshi Ukawa (Japan) as Chairman and Mr. Emil Keblusek (Czechoslovakia) and Mr. Harjono Nimpuno (Indonesia) as Vice Chairmen.

UN GENERAL ASSEMBLY

The General Assembly's annual review of IAEA activities and the adoption of the usual, non-controversial resolution praising the Agency's work was marred by the introduction of an Iraqi amendment concerning the Israeli attack on the Iraqi nuclear reactor. As a result it was not possible to achieve the consensus that in the past has marked favorable General Assembly action on the annual IAEA report. The United States called for a vote on the Iraqi amendments and voted against the offending provision. The subsequent recorded vote on the resolution as a whole was 128 to 1 (Israel), with 4 (U.S.) abstentions. In his statement of the U.S. position, Ambassador Adelman deplored the politicization of the technical agencies in the UN system and pointed out that "precisely this type of politicization has a demonstrated capacity to paralyze and to destroy activities by

United Nations specialized agencies, making it difficult or even impossible at times for them to achieve their worthy mission." The United States will continue vigorously to oppose the politicization of UN specialized and technical agencies.

Trusteeship and Dependent Areas

UN consideration of dependent area questions is carried out principally in three bodies—the Trusteeship Council, the General Assembly's Fourth Committee (Trust and Non-Self-Governing Territories), and the General Assembly's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (known as the Special Committee on Decolonization or the Committee of 24).

Chapter XI of the UN Charter sets forth the responsibilities of states for "the administration of territories whose peoples have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged with making suggestions and recommendations to the General Assembly regarding implementation of resolution 1514 of 1960, the "Declaration of the Granting of Independence to Colonial Countries and Peoples." In 1981 the membership of the Committee of 24 (actually 25 members) consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Denmark, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., Venezuela, and Yugoslavia. The United States was a member of the Committee until 1971, when it and the United Kingdom resigned because of a basic disagreement with the manner in which the Committee was operating.

Although the number of non-self-governing territories has declined steadily over the years, the United Nations still has considerable interest in those areas it considers to be colonial. In 1981 the Special Committee on Decolonization continued to devote much of its attention to Namibia, but it also paid substantial attention to other territories, including U.S. non-self-governing territories: American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberation on these U.S. territories and annually transmits information on them in accordance with Article 73(e) of the UN Charter. At the invitation of the United States the Special Committee dispatched a Visiting Mission to American Samoa in July 1981.

The Committee also considered conditions in the Trust Territory of the Pacific Islands and the question of the status of Puerto Rico, but the United States does not consider either to be within the jurisdiction of the Committee and does not participate in the discussion of these areas. On August 20, 1981, the Committee adopted an objectionable resolution on Puerto Rico, sponsored by Cuba, Iraq, Afghanistan, and Syria, which contained unacceptable elements, particularly the proposal to place the question of Puerto Rico on the agenda of the 37th General Assembly.

The Special Committee on Decolonization annually considers a number of issues related to colonialism generally, such as the activities of foreign economic and other interests seen by the Committee as impeding the process of decolonization; military activities by colonial powers seen as impeding decolonization; and activities by specialized agencies and other UN bodies that might assist the process of decolonization. In the latter context, the United States consistently has opposed General Assembly resolutions calling for specialized agency cooperation with and assistance to "national liberation movements."

The United States takes basic exception to a view that has come to predominate in the Committee and the General Assembly equating self-determination with independence. The U.S. view is that independence is only one possible outcome of an act of self-determination, and that the essential requirement is that the status of a territory reflect the freely expressed wishes of its people. It is noteworthy in this regard that General Assembly resolution 1541 of 1960 enumerates three ways in which non-self-governing territories may attain self-determination—by achieving the status of independence, through free association with an independent state, or by merger with an independent state. General Assembly resolution 2625 of 1970, which the United States supported, added to this list "any other political status freely determined by a people." The United States also believes that the timing and manner of an act of self-determination should be determined by the people of the territory and the administering authority, not by the General Assembly, and that the question of whether military bases interfere with the right to self-determination only can be decided on a case-by-case basis, after examination of the particular circumstances of the territory in question.

Chapter XII of the UN Charter established an international trusteeship system and Chapter XIII established the Trusteeship Council. The U.S.-administered Trust Territory of the Pacific Islands, which has been designated a strategic trust territory, is the sole remaining territory under the trusteeship system. In accordance with Article 83 of the Charter, the Security Council is responsible for all functions of the United Nations relating to strategic areas. The

Charter also provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to perform those functions relating to political, economic, social, and educational matters in strategic territories. The Trusteeship Council now consists of the United States, as administrator of the Trust Territory of the Pacific Islands; and China (P.R.C.), France, the U.S.S.R., and the United Kingdom as permanent members of the Security Council. (The P.R.C., however, has not participated in the activities of the Council.)

TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands consists of more than 2,100 islands spread over an area of the northern Pacific equivalent in size to the continental United States. The islands are small, and together cover about 700 square miles (1,850 square kilometers), about one-half the size of Rhode Island. About 100 of the islands are inhabited, and total population is estimated to be 136,500. The Trust Territory consists of three distinct island groups: the Marianas (with the exception of Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east.

Formerly administered by Japan under a League of Nations mandate, the islands came under U.S. control as a result of World War II. Following the founding of the United Nations and the establishment of the trusteeship system, the United States and the UN Security Council concluded an agreement on July 18, 1947, making the islands a strategic trust territory under U.S. administration. The Trust Territory has been administered by the U.S. Department of the Interior since 1951.

The Trust Territory has divided politically into four separate entities. In 1975 the people of the Northern Mariana Islands voted to separate from the rest of the Trust Territory and to join the United States in commonwealth status following termination of the Trusteeship Agreement. Already the Northern Mariana Islands largely functions as a separate administrative unit, and has a popularly elected governor and legislature. In 1978 the people of the districts of Truk, Yap, Ponape, and Kosrae voted to establish the Federated States of Micronesia through a constitutional referendum, and have since formed federal and state governments. In 1979 the Marshall Islands formed a constitutional government, and in 1981 the people of Palau established the Republic of Palau, each as a separate entity within the Trusteeship. Since 1969 representatives from these island groups have entered into negotiations with the United States Government to determine their future political status. The Federated States of Micronesia, Palau, and the Marshall Islands currently

are negotiating a free association relationship with the United States under which they will be largely responsible for their own affairs, including foreign policy matters; the United States will retain responsibility for defense and security. The negotiations were still in progress at the end of 1981.

Trusteeship Council Consideration

The Trusteeship Council held its 48th session in New York from May 18 to June 11, 1981. Mr. Marrack Goulding of the United Kingdom was elected President of the Council and Mr. Paul Paudade of France, Vice President. Ambassador Charles Lichenstein of the U.S. Mission in New York served as U.S. Representative on the Council. The Acting Deputy High Commissioner of the Trust Territory, Daniel High, served as Special Representative, and Special Representatives from the Trust Territory included the Lieutenant Governor of the Northern Mariana Islands, Francisco C. Ada; the Vice President of the Federated States of Micronesia, Petrus Tun; the Vice President of the Republic of Palau, Alfonso Oiterong; and the Secretary for Foreign Affairs of the Marshall Islands, Anton A. DeBrum. Special advisers included the Chief Justice of the Federated States of Micronesia Supreme Court, Edward King; Speaker of the House of the Republic of Palau, Carlos Salii; and President of the Palau Senate, Kaleb Udui. Senior advisers to the delegation were Richard Teare of the Office for Micronesian Status Negotiations; Billy Lee Hart of the Department of the Interior; and Ginger Lew of the Department of State.

Ambassador Lichenstein made the opening statement to the Trusteeship Council for the United States. He informed the Council that representatives of Palau, the Federated States of Micronesia, the Marshall Islands, and the United States had reached tentative agreement on a Compact of Free Association, which had been initialed in late 1980. With the election of President Reagan and the inauguration of the new administration in January 1981, all important policy issues, including that of Micronesian policy, were subject to a standard policy review. He stated that a review of Micronesian policy was underway, and that the effort was advancing as quickly as a thorough and comprehensive analysis allowed. The review was being undertaken with just one preconception, that the ultimate result of the status negotiations must be fully and freely approved by the peoples and governments of Micronesia.

Ambassador Lichenstein assured the Council that the U.S. Government was fully committed to carrying out its responsibilities under the UN Charter and the Trusteeship Agreement. He said that the new Administration shared with its predecessors a commitment to prompt agreement on the future political status of the Trust

Territory, to an accord that was satisfactory to all parties, and thus to an early termination of the trusteeship.

Ambassador Lichenstein took special note of the establishment of constitutional government in Palau on January 1, 1981, which marked the attainment of increased self-government for all of the political entities of Micronesia, a major benchmark in the fulfillment of the U.S. trusteeship obligations. He indicated that the Special Representatives from the Trust Territory would each inform the Council of significant events in their respective jurisdictions in the past year, as demonstrations of the high degree of autonomy that characterized the conduct of their own affairs. He referred to the progress that already had been made in foreign affairs and in the fisheries agreements that the Micronesians had entered into with the involvement and encouragement of the U.S. Government.

In closing, Ambassador Lichenstein referred to U.S. support for the objective stated in the Molokai round of negotiations, i.e., to preserve the existing links which exist among the political jurisdictions of the Trust Territory. He added that the United States would support the establishment of an all-Micronesian entity to perpetuate and strengthen those links, if that is the wish of the Micronesians. He said that real, substantial progress toward self-government for the people of Micronesia had been achieved, and that all trusteeship objectives could and would be met.

Following Ambassador Lichenstein's statement, Acting Deputy High Commissioner Daniel High reviewed developments in the Trust Territory during the previous year. He pointed out that, with the assumption of responsibility for self-government by the newly-established Micronesian governments, the Trust Territory Government had reorganized itself into a technical and management assistance institution to support and encourage the new governments in the exercise of their functions.

In addition to transferring governmental functions from the Trust Territory Government to the Micronesian governments, Mr. High continued, the United States had transferred property with an initial value of \$31 million to the new governments during the year, and further transfers, including title to ships, soon would take place. With the phaseout of the Trust Territory Government functions in some areas, the role of the new governments during the past year was expanded to include, for example, direct representation by the new governments in South Pacific Commission activities.

The Acting Deputy High Commissioner stated that the United States strongly supported the principle that the peoples of the Trust Territory must be fully informed about and must participate in the formulation of their future political status. With regard to the negotiations leading to the Compact of Free Association initialed by the Micronesian governments and the United States in 1980, he

reiterated that any plebiscite on future political status would be carried out uniformly and simultaneously throughout Micronesia, and that the plebiscite would be preceded by a fair, objective, and comprehensive public information program covering all alternatives.

He noted progress, including a 1980 census for all of the Trust Territory, developmental programs in manpower planning and training, economic diversification, greater availability of small business loans, infrastructure development, education (including special education), nutrition and health care, alternate energy development, use of appropriate technology, and enhanced land ownership. He pointed out that the Trust Territory Government also had assisted in law enforcement and public safety activities of the new governments and had devoted particular attention to developing stable and democratic societies throughout Micronesia.

Finally, he addressed the progress on dealing with the special needs of the people of Enewetak, Bikini, Rongelap, and Utirik, and assured the Council that the administering authority intended to meet all of the challenges imposed by fiscal and economic constraints in a manner best suited to the needs of the constitutional governments.

STATEMENTS BY OTHER SPECIAL REPRESENTATIVES

Vice President Oiterong of Palau reported on Palau's political status negotiations on free association with the United States and on economic and social issues. He expressed pleasure with progress toward self-government in Palau and with the direction of the political status negotiations. On the other hand, he criticized the lack of progress in the development of communications facilities and infrastructure (especially concerning water, energy production, and health care facilities), which affected Palau's ability to meet its new responsibilities under self-government.

In his opening statement Vice President Tun of the Federated States of Micronesia commended former High Commissioner Adrian Winkel, for carrying out his duties with dignity, honor, and integrity and for his role in promoting the devolution of governmental functions from the Trust Territory Government to the Federated States Government. Vice President Tun also had praise for the former U.S. chief negotiator, Ambassador Peter Rosenblatt, for his role in successfully completing the basic free association negotiations.

Vice President Tun complimented the United States for the progress made in transferring governmental functions to the Federated States of Micronesia Government, and asked that the process be accelerated further to account for the transfer of responsibility for communications, administration of U.S. federal programs, capital

improvement construction, financial management, and participation in UNDP. Vice President Tun remarked on the progress made in the fields of communications, regional cooperation, and foreign affairs during the past year. On the negative side, he spoke of a lack of adequate infrastructure development and effective social service institutions, a decline in health services and education, and power generation problems. On balance, however, he reported a sense of anticipation and a positive attitude toward the progress made in self-government in the Federated States of Micronesia during the past year.

In a lengthy review of the past year's activities, Secretary DeBrum of the Marshall Islands presented both positive and negative aspects of the developing relationship between the Marshalls and the United States. He reaffirmed his government's support and commitment to the Compact of Free Association and for the continuation of negotiations on the subsidiary agreements to the Compact. He criticized, however, the suspension of the Marshall Islands Election and Referenda Act of 1980 by the High Commissioner as a conscious reluctance on the part of the United States to relinquish its powers under the Trusteeship Agreement. He reported on the difficulty the Marshall Islands had experienced with registering its own aircraft for use in the Marshalls, and complained of instances in which, he claimed, the United States had acted in an arbitrary fashion in carrying out its Trusteeship obligations.

On the other hand, he praised U.S. assistance in negotiations which led to a fishing treaty between the Marshalls and Japan. He pointed out, however, that significant problems still existed prior to termination of the Trusteeship, including the resolution of radiation exposure claims and land use rights for Kwajalein. He closed on an optimistic note, stating that a new era of Marshallese sovereignty was about to become reality, and that the Marshallese now were taking over the reins of their own government.

Lt. Governor Ada of the Northern Mariana Islands provided a favorable report on developments in the Commonwealth during the past year. He said that the people of the Northern Marianas had wholeheartedly accepted their new political status and were asking for international recognition as well. He touched on developments in tourism, education, health, and fisheries. He expressed concern over the potential use of the Pacific Ocean as a nuclear dumping ground. He urged that additional resources be devoted to the supply of drinking water, alternate energy production, and further infrastructure improvements.

During the examination of the Annual Report of the United States on the Trust Territory, the Trusteeship Council heard 10 petitioners. It also examined 34 petitions and communications and decided, without objection, to take note of them.

COUNCIL REPORT

Among the conclusions and recommendations contained in its report to the Security Council, the Trusteeship Council reaffirmed the inalienable right of the people of Micronesia to self-determination, including the right to independence; noted the substantial progress made in the political status negotiations in 1980; noted the statements of Micronesian representatives that they desired to maintain preferential and close relations with the United States after termination of the Trusteeship; noted the intention of the United States to invite the international community to observe the referendum that will be held once the Compact of Free Association is signed; encouraged the speedy implementation of a program of political education; reiterated its view that free association is an option that is not incompatible with the Trusteeship Agreement, provided that it is freely accepted; noted that the United States reaffirmed its intention to proceed in a manner fully consistent with the UN Charter and to take up termination of the Trusteeship Agreement at the appropriate time with the Trusteeship Council and Security Council; urged the United States to consider maintaining the current level of its aid in the post-trusteeship period; and expressed the hope that after termination of the Trusteeship, the Micronesians will establish an all-Micronesian entity as agreed upon at Molokai in 1977.

General Assembly Consideration

The General Assembly's Special Committee on Decolonization considered the Trust Territory in three meetings from August 12 to 14, and at a fourth meeting on August 20, 1981. The United States maintains that the Special Committee's mandate under the UN Charter does not extend to the Trust Territory, and therefore the United States did not participate in the Special Committee's review. The Special Committee adopted a series of conclusions and recommendations on the Trust Territory and submitted these to the General Assembly.

On November 23 the Fourth Committee considered a draft consensus on the Trust Territory submitted by Afghanistan, Bulgaria, Cuba, Czechoslovakia, and Syria. The U.S. Representative, Ambassador William Sherman, argued that the proposed draft consensus breached the Committee's established practice of not making pronouncements on the Trust Territory of the Pacific Islands. He said that the Trusteeship Council, and not the General Assembly, was the forum provided for in the UN Charter to consider strategic trusts. The chairman of the Fourth Committee, Mr. Jamal of Qatar, said that in light of the U.S. objection, the "draft consensus" should

be changed to a "draft decision" of the Committee. Under rule 116 of the Rules of Procedure, the Australian Representative then proposed that the Committee adjourn consideration of the item. The Australian proposal was adopted by a recorded vote of 71 (U.S.) to 30, with 20 abstentions. The vote effectively ended further consideration of the Trust Territory in the Fourth Committee and no specific resolution on the Trust Territory was considered by the plenary of the 36th General Assembly.

U.S. TERRITORIES

American Samoa

American Samoa is an unincorporated and unorganized U.S. territory—lacking an organic act—located 2,300 miles southwest of Hawaii. It comprises seven islands in the South Pacific, with a total of 76 square miles and a population of about 30,000. The United States acquired six of the islands through agreements with indigenous leaders in the early 1900's; the seventh island became an integral part of the territory in 1925.

The Special Committee on Decolonization sent a Visiting Mission to American Samoa in 1981 in response to the invitation extended to the Special Committee in 1980 by the U.S. Representative on behalf of Governor Peter Tali Coleman of American Samoa. The Mission was chaired by Ambassador Koroma of Sierra Leone and included representatives of India and Trinidad and Tobago. The Mission was accompanied by four Secretariat staff members and escorted by James Gray, of the U.S. Mission to the United Nations. Before its departure, the Visiting Mission met in Washington with officials from the Departments of State and Interior and with Members of Congress, including American Samoan Delegate to Congress Fofu Sunia and Congressman Antonio Won Pat of Guam. Enroute to American Samoa, the Mission met in Hawaii with representatives of the American Samoan community, the American Samoan and Hawaiian Governors' offices, and the Executive Director of the Pacific Basin Development Council.

The Mission visited American Samoa July 12-21, 1981, and met with the Governor, the Legislature, government officials, the business community, village leaders, students, and the media. In addition to the main island of Tutuila, the Mission also traveled to the Manu'a group during their visit.

In its report to the Special Committee, the Mission expressed appreciation for the warm welcome and hospitality that members enjoyed during the visit. The Mission noted that American Samoan leaders, both elected and traditional, had expressed satisfaction with the existing political status of the territory and desired to maintain

the present relationship with the United States. The Mission proposed that greater assistance be provided American Samoa for economic development and the creation of employment opportunities, and that steps be taken to diversify the economy, develop port facilities, seek more revenues for the territory from the two tuna canneries, and improve local food production. The Mission also recommended improvements in energy production, health care facilities, education, and tourism development.

The Special Committee considered American Samoa and the Visiting Mission's Report in three meetings between August 21 and November 11, 1981. It adopted a draft resolution on American Samoa on November 11 which approved the Visiting Mission's Report, reaffirmed the right of American Samoans to self-determination and independence, called upon the United States to expedite the process of decolonization in the territory, reaffirmed the responsibility of the administering power to keep the people of the territory fully informed of their right to self-determination and independence, called upon the United States to strengthen and diversify the economy of the territory, urged the fostering of closer relations between the people of American Samoa and neighboring island communities, and urged that the peoples' rights to the enjoyment and protection of their natural resources be safeguarded. Speaking before the Special Committee on November 10, the U.S. Representative, Douglas S. Kinney, expressed satisfaction that the visit appeared to have been a success and that the Mission was able to fulfill its assigned responsibilities. He told the Special Committee that the United States had pursued and continued to pursue policies designed to create conditions which would promote the orderly political, economic, and social development of the U.S. territories, and expressed pleasure that the Visiting Mission had met the people of American Samoa and had seen at first hand the territory, and its problems and achievements.

Guam

Guam, the southernmost island in the volcanic Mariana Islands chain in the western Pacific, is an organized, unincorporated U.S. territory. Located 6,000 miles west of San Francisco, Guam measures about 30 miles long and 4-8 miles wide. Its population numbers about 100,000; military personnel account for some 20%. Guam was ceded to the United States by Spain in 1898 at the conclusion of the Spanish-American War.

The Special Committee's Subcommittee on Small Territories¹ considered Guam at four meetings between April 7 and August 7, 1981. The U.S. Representative, Daniel Strasser, informed the Sub-

¹ Afghanistan, Australia, Bulgaria, Chile, Cuba, Czechoslovakia, Denmark, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Trinidad and Tobago, Venezuela, and Yugoslavia.

committee that the people of Guam were engaged in examining their political status options in preparation for a status plebiscite, as part of the followup to the defeat of the proposed constitution in the 1979 referendum. He pointed out that the United States had supported Guam's request for associate membership status in ESCAP, and that the request had been approved at the latest ESCAP session. He also informed the Subcommittee of recent economic and social developments in Guam, and commented on the close, cooperative working relationship that Guam continued to enjoy with U.S. military commands based on the island.

The full Special Committee took up Guam on August 12 and 13. It adopted the Subcommittee's report including previously prepared conclusions and recommendations. The Subcommittee's conclusions and recommendations contained a significant change in language on military bases from previous years' reports. It concluded that the presence of military bases constituted a factor impeding the people's exercise of their right to self-determination and aged in a highly speculative exercise with regard to language on military bases in Guam. The working paper prepared by the Secretariat contained in document A/AC.109/651, on military activities in Guam, relates the strong interest of locally elected Guamanian officials in the enhancement of the U.S. military presence in Guam. The United States finds it most surprising that the Special Committee could reach just the opposite conclusion in its recommendations. The Special Committee, we feel, does itself a great disservice by ignoring the clearly stated wishes of the elected representatives of the people of Guam in favor of language that, in the case of Guam, has no basis in fact.

The United States regrets the departure of the Special Committee from the consensus language of many years standing on military bases. This departure, we feel, is unwarranted by reality in the case of Guam and destructive of the Special Committee's purposes and credibility.

The remainder of the Special Committee's report on Guam, *inter alia*, reaffirmed the inalienable right of the people of Guam to self-determination and independence; noted with appreciation the cooperation of the United States in the work of the Committee on this question; recalled the administering power's responsibility for ensuring that the people of the territory were kept fully informed of their inalienable rights to self-determination and independence; noted with satisfaction the establishment of a commission of self-determination and the scheduling of a plebiscite on future status; reaffirmed the responsibility of the United States for the economic and social development of the territory; urged the United States in cooperation with the territorial government to take effective measures to safeguard the rights of the people to their natural resources and to establish and maintain control of their future development;

urged continuation of efforts to develop and promote the language and culture of the Chamorro people; and welcomed the acceptance of Guam as an associate member of ESCAP.

U.S. Virgin Islands

The U.S. Virgin Islands, located 1,000 miles southwest of Miami, are part of the curving chain of the Greater and Lesser Antilles separating the Caribbean Sea and the Atlantic Ocean. Of the 50 islands that constitute this organized, unincorporated territory, the three most prominent are St. Thomas, St. Croix, and St. John. The population of the U.S. Virgin Islands is about 100,000, and total land area is 130 square miles. The U.S. Virgin Islands were purchased from Denmark in 1917.

The Subcommittee on Small Territories considered the U.S. Virgin Islands at four meetings between May 14 and July 28, 1981. The U.S. Representative participated in the Subcommittee's consideration of the territory on May 14 and discussed recent developments there. He drew attention to the recently concluded negotiations on a tax agreement between the Hess Oil Company, a major private sector employer in the islands, and the Government of the Virgin Islands; the resulting agreement ensured the continuation of a mutually beneficial relationship. He also referred to the May 7 State of the Territory message of Governor Juan Luis, in which the Governor noted significant progress in education as well as development of water and power facilities, and the important agreement with Hess.

The full Special Committee considered the U.S. Virgin Islands on August 12 and 13. The Special Committee adopted the report of the Subcommittee and its conclusions and recommendations which, *inter alia*, reaffirmed the inalienable right of the people of the U.S. Virgin Islands to self-determination and independence; noted with appreciation U.S. participation in the discussion on the territory; noted recent political and constitutional developments in the territory, particularly the drafting of a Constitution by the Fourth Constitutional Convention; noted with satisfaction the positive measures taken to resolve the problems of aliens in the U.S. Virgin Islands; reaffirmed the responsibility of the administering power for the economic and social development of the territory; noted the agreement with Hess Oil ensuring the continuation of the oil refinery's operations in the territory, and the efforts being made to attract new investments to expand the manufacturing sector; and urged the United States with the cooperation of the Government of the Virgin Islands to safeguard the inalienable right of the people of the territory to the enjoyment of their natural resources.

General Assembly Action

American Samoa, Guam, and the U.S. Virgin Islands were considered along with a number of other small territories by the 36th

General Assembly's Fourth Committee between October 19 and November 23, under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." (See also p. 308.) On October 27 the U.S. Representative, Ambassador Sherman, made a comprehensive statement to the Fourth Committee regarding developments in Guam and the U.S. Virgin Islands, in compliance with Article 73(e) of the Charter. On November 3 he made a further statement to rebut charges that the presence of U.S. military bases and installations in the Turks and Caicos, Bermuda, and Guam served to impede self-determination. He also criticized politically inspired attempts by some delegations to introduce Puerto Rico and the Trust Territory of the Pacific Islands into the Committee's proceedings, and pointed out that neither was within the Committee's mandate.

On November 17 Ambassador Sherman elaborated upon previous remarks by the U.S. Delegation on the Report of the Visiting Mission to American Samoa, and praised the chairman and members of the Visiting Mission for their constructive work. The draft resolution on American Samoa was adopted without objection by the Fourth Committee on the same day. Similarly the draft resolution on the U.S. Virgin Islands was adopted without objection also on November 17.

The Fourth Committee's consideration of Guam focused on the question of the presence of military bases. A hostile draft resolution sponsored by Afghanistan, Bulgaria, Cuba, Czechoslovakia, and Syria contained language concluding that the presence of military bases did constitute a factor impeding self-determination. An amendment introduced by Canada, Denmark, Fiji, Japan, New Zealand, Papua New Guinea, Philippines, Samoa, Senegal, and the Solomon Islands proposed substitute, milder language to the effect that military bases *could* constitute a factor impeding self-determination. This wording had gained consensus approval in previous years. The November 18 vote on the amendment to the Guam resolution, and on the resolution itself, was preceded by a key procedural vote on the Chairman's ruling that a proposed amendment to the amendment, which would have the effect of negating the initial amendment, was valid. Samoa's appeal against the Chairman's ruling was accepted by a vote of 50 (U.S.) to 44, with 20 abstentions. A recorded vote was then taken on the amendment to the Guam resolution, which was approved by a vote of 66 (U.S.) to 41, with 16 abstentions. The resolution as amended was approved by a recorded vote of 128 (U.S.) to 0, with no abstentions.

The resolutions on the U.S. Virgin Islands and American Samoa were adopted by consensus in the General Assembly on November 24. (Resolutions 36/47 and 36/48, respectively.) The resolution on Guam was adopted by the General Assembly on November 25 by a vote of 119 to 0, with no abstentions. (Resolution 36/63.)

Security Council

On April 10 Uganda requested an urgent meeting of the Security Council to consider South Africa's refusal to comply with Council resolutions on Namibia. The Council met 11 times between April 21 and 30 to discuss Uganda's complaint. In the course of the Council's debate, on April 29, Uganda introduced five draft resolutions. In final action taken on April 30 none of the draft resolutions was adopted due to the veto power exercised by three of the permanent members—France, the United Kingdom, and the United States.

The first draft resolution, sponsored by Mexico, Niger, Panama, the Philippines, Tunisia, and Uganda, determined that South Africa's persistent refusal to comply with Security Council and General Assembly resolutions on Namibia constituted a serious threat to international peace and security; condemned South Africa for its continued illegal occupation of Namibia and military raids across international boundaries; decided to impose comprehensive and mandatory economic and political sanctions against South Africa; and established a Security Council committee to monitor the implementation of the resolution. The draft resolution failed to be adopted by a vote of 9 in favor to 3 against (France, U.K., U.S.), with 3 abstentions.

A second draft resolution, sponsored by Niger, Tunisia, and Uganda, *inter alia*, reaffirmed support for Namibian self-determination; stressed that Namibia is the legal responsibility of the United Nations until independence is achieved; called upon all states to sever diplomatic, consular, and trade relations with South Africa; and described the framework within which this would be accomplished. By a vote of 9 in favor to 3 against (France, U.K., U.S.), with 3 abstentions, the resolution was not adopted.

The third draft resolution was sponsored by Niger, Tunisia, and Uganda. It called for a mandatory embargo on the direct and indirect supply of petroleum and petroleum products to South Africa and occupied Namibia. It also proposed that member countries prohibit their nationals from assisting South Africa's petroleum industry through investment and technological exchanges. The draft resolution received 11 votes in favor, 3 against (France, U.K., U.S.), and 1 abstention (Japan) and was not adopted.

The fourth draft resolution, sponsored by Niger, Tunisia, and Uganda, *inter alia*, determined that the supply to South Africa and collaboration in the manufacture of arms and related military supplies constituted a breach to international peace and security; called upon all states to refrain from exporting arms and military supplies to South Africa; directed that governments should seize any

embargoed items destined for South Africa; advised that no country should acquire South African-made arms and military equipment; decided that all states should prohibit government agencies and corporations within their jurisdiction from investing in South Africa's arms industry; called for all states which had not yet done so to terminate military contacts with South Africa; and decided all states should take measures to prevent service of mercenaries in South Africa and occupied Namibia. The resolution failed to be adopted by a vote of 12 in favor to 3 against (France, U.K., U.S.).

The fifth draft resolution, sponsored by Niger, Tunisia, and Uganda, provided for the establishment of a Security Council committee to review compliance with the other proposed resolutions. Given the voting results of the four preceding texts, the fifth resolution was not put to the vote.

Ambassador Kirkpatrick, in explaining the U.S. vote against the four draft resolutions, reiterated that Security Council resolution 435 (1978) "continues to provide a solid basis for a transition to an independent, stable Namibia." The United States, she said, recognized the right of the Namibian people to self-determination, but it did not view sanctions as compatible with this objective. Each of the resolutions before the Council related to sanctions and therefore the United States could not support them. She asserted that "the study of history supports our view that they were not effective against Italy in the 1930's nor against Rhodesia in the 1970's." She noted that an arms embargo on South Africa already existed as mandated by Security Council resolution 418 (1977). The United States voted for that resolution and would continue to enforce the embargo imposed under it but did not accept at this time the need to adopt provisions of an additional arms embargo.

Ambassador Kirkpatrick concluded with an appeal "particularly to the governments of the frontline states and of South Africa to strengthen their own efforts to find a peaceful, negotiated solution to the Namibia problem."

In a second series of meetings related to Namibia, the Council met five times between August 28 and 31 to consider Angola's August 26 complaint of an attack by South Africa, from Namibia, into Angola. The Council had before it a draft resolution sponsored by Mexico, Niger, Panama, the Philippines, Tunisia, and Uganda. The draft resolution, *inter alia*, condemned South Africa for premeditated invasion of Angola, as well as using Namibia as a springboard for its action; demanded the immediate and unconditional withdrawal of South African troops from Angola; called upon all countries to implement the arms embargo imposed on South Africa under Security Council resolution 418 (1977); urged states to extend material assistance to Angola; and provided for the establishment of a Commission of Investigation to undertake an on-the-spot evalua-

tion of the situation in Angola. On August 31 by a vote of 13 in favor, 1 against (U.S.), and 1 abstention (U.K.) the draft resolution failed to be adopted owing to the negative vote of a permanent member.

The U.S. Representative, Ambassador Lichenstein, in explanation of the U.S. veto, recalled that the United States opposed violent solutions to the region's problems and advised that "such violence only creates an atmosphere which undermines serious negotiations." For this reason the United States deplored the South African raid as it did all escalations of violence from any quarter. However, because the draft resolution blamed South Africa for the fighting while completely ignoring the "explosive atmosphere of confrontation" created by the presence of the large Cuban force in Angola, the provision of Soviet-originated arms to SWAPO, and the presence of Soviet military advisers in the area, the United States had voted against the draft resolution.

The U.S. statement also stressed that future negotiations on Namibia must be based on Security Council resolution 435 (1978) and noted that any final settlement of the issue must take into account the interests of all parties involved.

General Assembly

The 35th plenary session of the General Assembly postponed consideration of the question of Namibia until the resumed session, held March 2-6, 1981. More than 90 speakers addressed the Assembly during the resumed session's 10 meetings.

South Africa, which routinely had been denied a seat in the Assembly by the Credentials Committee since 1974, surprised the Assembly by its presence on the opening day. A challenge to South Africa's credentials by the Cameroon, as chairman of the African Group, resulted in a decision by the General Assembly President to adjourn the plenary to allow the immediate convening of the Credentials Committee. Following resumption of the plenary the same day, the Assembly approved by a vote of 112 to 22 (U.S.), with 6 abstentions the report of the Credentials Committee rejecting the South African delegation's credentials. (Resolution 35/4 C.)

In her explanation of vote, Ambassador Kirkpatrick opposed the denial of South Africa's right to participate in the General Assembly as lacking legal foundation and going beyond the powers of the General Assembly. She emphasized that the UN Charter specifically stipulates that "a Member State may be suspended or expelled from the United Nations only upon the recommendation of the Security Council as confirmed by the General Assembly. The Security Council has never recommended that the Assembly should suspend or expel South Africa. For this reason the General Assembly's action in 1974 was without legal foundation. On so fundamental a question as the

rights of membership, the passing of time has not given the Assembly a better legal basis for doing in 1981 what it did improperly in 1974."

On March 3 the South African delegation submitted to the Security Council the statement South Africa would have made before the Assembly had it been permitted to speak. The statement included attacks on SWAPO violence and UN partiality as well as a defense of South Africa's record in Namibia.

On March 5 the U.K. Representative, Sir Anthony Parsons, reaffirmed on behalf of the Five Western Contact Group members their commitment to a peaceful negotiated settlement for Namibia, and said that independence for Namibia would not be advanced by isolating South Africa. He stated that the people of Namibia should have the right to choose their own government through free and fair elections. He regretted that the Secretary General's pre-implementation meeting in Geneva had failed to set a date for the implementation of Security Council resolution 435 (1978).

Ten draft resolutions were introduced and adopted in the plenary Assembly on March 6.

The first, entitled "Situation in Namibia resulting from the illegal occupation of the territory by South Africa," was introduced by Algeria on behalf of 70 states. The resolution, *inter alia*, (1) reiterated that Namibia is the direct responsibility of the United Nations until self-determination and national independence are achieved in the Territory and for this purpose, reaffirms the mandate given to the UN Council for Namibia as the legal Administering Authority for Namibia until independence; (2) reaffirmed the status of SWAPO as the sole and authentic representative of Namibian people; (3) reaffirmed the legitimacy of the liberation struggle of the Namibian people by all means at their disposal; (4) declared that the continuing South African occupation of Namibia constituted an act of aggression against the Namibian people and their liberation movement as well as the United Nations; (5) declared that South African activities in Namibia constituted a serious threat to international peace and security; (6) condemned those Western States (unnamed) that have assisted South Africa in developing a nuclear capability and urged all member states to frustrate attempts by South Africa to develop nuclear weapons; (7) demanded that South Africa urgently comply fully and unconditionally with Security Council resolutions on Namibia; in particular, resolution 385 (1976); and (8) called on the Security Council to convene urgently to impose comprehensive and mandatory sanctions against South Africa under Chapter VII of the Charter to ensure South Africa's immediate compliance with the resolutions and decisions of the United Nations relating to Namibia. The resolution was adopted by a vote of 114 to 0, with 22 (U.S.) abstentions. (Resolution 35/227 A.)

The second draft resolution, entitled "Intensification and coordination of United Nations actions in support of Namibia," was introduced by Nigeria on behalf of 65 cosponsors. The resolution, *inter alia*, (1) called upon all states which had not yet done so to comply with relevant General Assembly and Security Council resolutions on Namibia; (2) urged states to break off economic relations with South Africa that concern Namibia; (3) condemned private investors and foreign corporations operating in Namibia under South African administration, claiming that their exploitation of Namibian resources is illegal; and (4) requested the Council for Namibia to continue its examination of the exploitations of and trade in Namibian uranium by foreign economic interests and report its findings to the General Assembly at its 36th session. The resolution was adopted by a vote of 131 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 B.)

A third draft resolution, entitled "Program of work for the UN Council for Namibia," was introduced by India on behalf of 67 states. This draft, *inter alia*, approved the report of the Council for Namibia and reaffirmed the Council's position as the legal administering authority for Namibia and the policymaking organ of the United Nations for Namibia until independence. It also instructed the Council to promote non-recognition of any internal settlement in Namibia; to maintain the territorial integrity of Namibia, including Walvis Bay and the Penguin and other off-shore islands; to continue to mobilize international political support for the cause of the Namibian people; and to hold a series of meetings to explore the issue, informing international opinionmakers and others of the objectives of the Council and the struggle of the Namibian people for freedom, and to provide the broad guidelines for UN policy on Namibia. The resolution further decided to increase the financial provision in the office of SWAPO in New York and to defray the expenses of SWAPO representatives whenever the Council for Namibia deemed it necessary. The resolution was adopted by a vote of 132 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 C.)

Introduced by Nigeria and sponsored by 65 states, a fourth draft entitled "Action by intergovernmental and non-governmental organizations with respect to Namibia," *inter alia*, requested all UN organs to grant full membership to the UN Council for Namibia and to grant the Council a waiver of the dues assessment that Namibia would otherwise be charged. The resolution was adopted by a vote of 133 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 D.)

A fifth draft, introduced by Turkey and sponsored by 68 states was entitled "Support for the United Nations Institute for Namibia." This draft expressed support for the UN Institute for Namibia in its efforts to enable Namibians to develop and acquire necessary skills required for staffing the public services of an independent Namibia;

urged specialized agencies and other organizations of the UN system to review with the Institute ways and means of strengthening its activities; and appealed to governments, intergovernmental and non-governmental organizations, and individuals for generous voluntary contributions to the Institute. The resolution was adopted by a vote of 133 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 E.)

Finland, on behalf of 70 sponsors, introduced a sixth draft resolution entitled "Nationhood Program for Namibia." The draft requested the Council for Namibia, in consultation with SWAPO, to coordinate the planning and implementation of the nationhood program for Namibia with the aim of consolidating all measures of assistance to Namibians by the specialized agencies and other UN organs into a comprehensive assistance program. The resolution was adopted by a vote of 133 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 F.)

The seventh draft resolution, "United Nations Fund for Namibia," was introduced by Venezuela on behalf of 69 states. *Inter alia*, the draft stipulated that use of the resources of the UN Fund for Namibia should be considered in the context of the implementation of the nationhood program for Namibia, and that Namibia should remain eligible for assistance under the United Nations Educational and Training Program for Southern Africa and the United Nations Trust Fund for South Africa. The resolution was adopted by a vote of 133 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 G.)

Bulgaria, on behalf of 68 states, introduced the eighth draft resolution, "Dissemination of information on Namibia." The resolution, *inter alia*, requested the Secretary General to direct the Department of Public Information to assist the Council for Namibia in its efforts to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia and also called for a world campaign to support UN resolutions for a free and independent Namibia. The resolution was adopted by a vote of 133 to 0, with 5 (U.S.) abstentions. (Resolution 35/227 H.)

The ninth draft, entitled "Question of Namibian uranium," was introduced by Yugoslavia and sponsored by 44 states. The draft, *inter alia*, declared that any state that deprives Namibia of its natural resources violates the obligations assumed under the UN Charter; called on all governments that had not done so to put an end to such enterprises in respect of their nationals as bodies corporate under their jurisdiction, and to prevent new investments or prospecting in the Territory; strongly condemned the collusion of France, the Federal Republic of Germany, Israel, and the United States in the nuclear and military fields; and requested the United Nations Council for Namibia to continue to gather information on Namibian uranium and to take action as appropriate. The resolution was adopted by a vote of 108 to 0, with 26 (U.S.) abstentions. (Resolution 35/227 I.)

The final draft resolution, entitled "Situation resulting from South Africa's refusal to comply with United Nations resolutions on Namibia," was introduced by Algeria and sponsored by 68 states. The resolution, *inter alia*, strongly condemned the persistent refusal of the South African racist regime to comply with the resolutions of the United Nations on Namibia, in particular its rejection of Security Council resolutions 432 (1978), 435 (1978), and 439 (1978); strongly condemned South Africa for its intensified repression against the Namibian people, for its increased arrests and detention of SWAPO leaders and members, and for its continued acts of aggression against independent African states; and called upon the Security Council to convene urgently to impose comprehensive and mandatory sanctions against South Africa, as provided for under Chapter VII of the UN Charter, to ensure South Africa's compliance with resolutions and decisions of the United Nations relating to Namibia. The resolution was adopted by a vote of 125 to 0, with 13 (U.S.) abstentions. (Resolution 35/227 J.)

In her closing statement on March 6, Ambassador Kirkpatrick, speaking on behalf of the Western Five, stated that their collective abstention neither reflected nor implied any judgment on the merits of the various resolutions offered. She reiterated their objective of securing a peaceful, internationally recognized settlement for Namibia.

On September 4, 1981, the General Assembly convened its 8th emergency special session on the question of Namibia with particular regard to the armed incursions into Angola by South Africa.

Once again South Africa was present on the opening day and asked to speak on a point of order. The President of the General Assembly recalled that rule 29 of the Rules of Procedure provided that:

"Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the General Assembly has given its decision."

In light of that rule, the President would call on the representatives of South Africa to speak on a point of order, and reminded the South African representative that in speaking on a point of order, he could not discuss the substance of the matter under discussion.

The Algerian Representative, on behalf of the African Group, appealed against the decision of the President and the appeal was put to the vote. The appeal was sustained by a vote of 113 to 24 (U.S.), with 6 abstentions.

The U.S. Representative, Ambassador Kenneth L. Adelman, said that the United States opposed the denial of South Africa's right to participate in the General Assembly of the United Nations. He reiterated Ambassador Kirkpatrick's position as stated in the 35th session.

The Assembly then approved by a vote of 117 to 22 (U.S.), with 6 abstentions, the report of the Credentials Committee rejecting the credentials of South Africa. (Resolution ES-8/1.)

A draft resolution, ultimately sponsored by 71 states, was circulated to the Assembly on September 8. The resolution among other things, condemned South Africa for its increased oppression of the Namibian people, for the massive militarization of Namibia, and for its armed attacks against neighboring states, particularly Angola; demanded the immediate commencement of the unconditional implementation of Security Council resolution 435 (1978) without any prevarication, qualification, or modification and not later than December 1981, and called upon all states, in view of the threat to international peace and security posed by South Africa, to impose against that country comprehensive mandatory sanctions in accordance with the provisions of the Charter.

The resolution was adopted on September 14 by a vote of 117 to 0, with 25 (U.S.) abstentions. (Resolution ES-8/2.)

Mr. Morden, the Canadian Representative, spoke in explanation of vote for the Contact Group. He said that he wished to make it completely clear that their collective abstention neither reflected nor implied any judgment on the merits of the recommendations contained in the draft resolution. The governments of the Group therefore had not taken a substantive position on the draft, nor did they consider that it in any way affected the course of the negotiations in which they were engaged.

The 36th General Assembly discussed the question of Namibia in eight meetings between November 19 and December 11.

On December 10 six resolutions were introduced and adopted on the same day.

The first draft, entitled "Situation in Namibia resulting from the illegal occupation of the Territory by South Africa," was introduced by Nigeria and sponsored by 53 states. The resolution was the same as resolution 35/227 A adopted in the resumed session of the 35th General Assembly, except that it specifically mentioned the United States, the Federal Republic of Germany, and Israel in its condemnation of states advancing South Africa's capabilities in the nuclear or military fields. The resolution was adopted by a vote of 120 to 0, with 27 (U.S.) abstentions. (Resolution 36/121 A.)

On behalf of 61 states Algeria introduced the second draft, "Action by Member States in support of Namibia." The resolution, *inter alia*, called upon all member states to sever all diplomatic, economic, and military ties with South Africa, including imports to and exports from South Africa of industrial investments, sports, tourism, scientific and cultural exchanges, petroleum and petroleum products, and arms and related materials; called upon all states to take effective legislative measures to prevent the recruitment, training, and

transit of mercenaries for service in Namibia; requested the Secretary General, aided by the UN Development Program, to prepare a comprehensive program to assist states bordering on South Africa and Namibia to move toward complete self-reliance; and requested the Secretary General to report to the General Assembly at its 37th session on the implementation of the resolution. The resolution was adopted by a vote of 118 to 0, with 29 (U.S.) abstentions. (Resolution 36/121 B.)

India introduced the third draft, "Program of work of the United Nations Council for Namibia," on behalf of 68 states. The resolution remained unchanged from resolution 35/227 C and was adopted by a vote of 137 to 0, with 10 (U.S.) abstentions. (Resolution 36/121 C.)

The fourth draft, entitled "Action by intergovernmental and non-governmental organizations with respect to Namibia," was introduced by Turkey on behalf of 69 states. It was the same as resolution 35/227 D, but it added the decision to allocate \$200,000 to the UN Council for Namibia to undertake a program of cooperation with intergovernmental organizations to promote the cause of the liberation struggle of the Namibian people on the recommendation of SWAPO subject to decisions of the Council in each case. The resolution was adopted by a vote of 127 to 0, with 20 (U.S.) abstentions. (Resolution 36/121 D.)

Yugoslavia introduced the fifth draft, "Dissemination of information on Namibia," sponsored by 57 states. This was again a repetition of a former resolution 35/227 H. It was adopted by a vote of 125 to 0, with 23 (U.S.) abstentions. (Resolution 36/121 E.)

The final draft resolution, entitled "United Nations Fund for Namibia," was introduced by Venezuela and sponsored by 69 states. It was similar to resolution 35/227 G, but added the decision to allocate, as a temporary measure, \$1 million to the United Nations Fund for Namibia from the 1982 UN budget, with the United Nations Council for Namibia having responsibility for the formulation of policy, acting as trustee, and providing guidelines for Namibia through appropriate UN organs. The resolution was adopted by a vote of 142 to 0, with 5 (U.S.) abstentions. (Resolution 36/121 F.)

On November 20 Mr. Pelletier, the Canadian Representative, spoke on behalf of the five member governments of the Contact Group stating that all nations believed in a free and independent Namibia, but disagreed on how the goal should be reached. He reiterated that the Contact Group was convinced that only a negotiated settlement acceptable to the people of Namibia, the Government of South Africa, the Governments of the frontline states, and ultimately, the United Nations would bring independence to Namibia. He said that the Group members would have to abstain on procedural grounds on the resolutions and pointed out that their vituperative tone, unjust and inaccurate language, and unrealistic demands hindered the objective of an independent Namibia.

OTHER QUESTIONS

Other Territories

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," the Fourth Committee at 16 meetings between October 19 and November 23 considered and approved the chapters of the report of the Committee of 24 relating to those territories not covered by other agenda items. In addition to the resolutions on U.S. territories (discussed in previous sections of this report), the Committee approved resolutions or reached consensuses concerning Western Sahara (resolution 36/46 and decision 36/406); Bermuda, the British Virgin Islands, Montserrat, the Cayman Islands, and the Turks and Caicos Islands (resolution 36/62); Cocos (Keeling) Islands (decision 36/407); St. Helena (decision 36/408); Gibraltar (decision 36/409); and Tokelau (decision 36/410). The Committee decided to defer until the 37th General Assembly consideration of Brunei, Pitcairn, the Falkland Islands (Malvinas), St. Kitts-Nevis, and Anguilla. All the resolutions and decisions subsequently were adopted by the General Assembly on November 24 and 25.

WESTERN SAHARA

The conflict in Western Sahara dates to 1976, when Spain transferred administrative control of the territory to Morocco and Mauritania. From Algeria the POLISARIO² launched a guerrilla war against Mauritania and Morocco to obtain independence for the entire territory. Mauritania withdrew from the territory in 1979. Morocco subsequently extended its territorial claims to include one-third of the Sahara formerly claimed by Mauritania, and the guerrilla war between the POLISARIO and Morocco continued. The U.S. position has been to facilitate a peaceful settlement acceptable to all parties.

In June 1981 progress toward a solution to the Western Sahara situation was made at the Nairobi OAU Summit Conference. Agreement was reached on the principle of a ceasefire and referendum. An Implementation Committee established by the Summit Conference met in Nairobi August 24-26 to consider implementing the Conference's decision. The Implementation Committee made specific recommendations for establishment and maintenance of a ceasefire and conduct of a general and free referendum in Western Sahara.

The Fourth Committee considered the question of Western Sahara at its meetings between October 22 and November 9. As in the

² Frente Popular para la Liberacion de Saguia el Hamra y Rio de Oro.

previous year two draft resolutions were submitted to the Committee. The first, sponsored by Morocco, Senegal, and Zaire noted the decision of the OAU Summit Conference and OAU Implementation Committee on Western Sahara and welcomed the readiness of all parties to cooperate with the Implementation Committee.

The second draft resolution, ultimately sponsored by Algeria and 41 other states, *inter alia*, (1) reaffirmed the right of the people of Western Sahara to self-determination, (2) singled out the POLISARIO and Morocco as the parties to the dispute, (3) urged them to negotiate, and (4) requested the UN Secretary General to ensure UN participation in the organization and conduct of a referendum in the territory.

In the Fourth Committee on October 30, the U.S. Representative, George Christopher, said the United States looked forward to the end of the conflict in the Western Sahara and welcomed agreement of all parties to a ceasefire and referendum. The United States, he said, fully supported OAU efforts to resolve the Western Sahara conflict.

In separate messages addressed to Algeria and Morocco, the OAU President urged each, in the interest of unity and the advancement of the OAU Implementation Committee's work, to withdraw its draft resolution from UN consideration. Subsequently Morocco withdrew its draft, but Algeria continued to pursue the adoption of its resolution.

On November 9 Kenya introduced a draft decision requesting the UN Secretary General to give assistance, in consultation and cooperation with the OAU, to the OAU Implementation Committee in the discharge of its mandate. Kenya noted that the Implementation Committee sought this relationship with the United Nations and the draft decision—intended to be purely procedural and noncontroversial—would make cooperation possible.

The Algerian draft resolution was approved in the Fourth Committee on November 9 by a recorded vote of 73 to 7 (U.S.), with 54 abstentions and adopted in the plenary Assembly on November 24 by a recorded vote of 76 to 9 (U.S.), with 57 abstentions. (Resolution 36/46.) The Kenyan draft decision was approved by the Fourth Committee on November 9 and adopted by the plenary Assembly on November 24, in both cases without a vote. (Decision 36/406.)

In explanation of the U.S. vote in the Fourth Committee, Ambassador Sherman stated that the Committee should do two things on the Western Sahara question. It should lend its support to the OAU, and it should request the Secretary General to respond to the OAU request for UN assistance in implementing the OAU recommendations. He noted that the failure to arrive at a compromise resolution represented a failure to lend maximum support to the OAU effort. To this end he suggested it would have been useful had the sponsors withdrawn the draft resolution still before the Committee. He

regretted that the draft resolution went beyond the formulation of the OAU Implementation Committee and attempted to prejudice the outcome of current negotiations. He announced that for these reasons the United States would vote against the resolution but fully supported the draft decision that requested the Secretary General to assist the OAU efforts.

EAST TIMOR

Weakened by political strife at home, Portuguese administrators in East Timor in mid-1975 lost control of the situation and withdrew, precluding any effort at orderly decolonization. Among five recently formed political parties, none of which demonstrably represented a large portion of the people of East Timor, FRETILIN³ appeared the strongest. Elements of the other four parties, unwilling to accept FRETILIN's domination, invited the Indonesian Government to intervene. Indonesian troops entered East Timor in December 1975. The territory was integrated formally into Indonesia on July 17, 1976.

At the 36th General Assembly the Fourth Committee discussed East Timor between October 19 and November 9. As in the previous 4 years, a draft resolution was introduced that called for all interested parties, in cooperation with the United Nations, to guarantee the exercise of the right of self-determination by the people of East Timor. The resolution was approved in Committee on November 9 by a vote of 58 to 40 (U.S.), with 42 abstentions and adopted in the plenary Assembly on November 24 by a vote of 54 to 42 (U.S.), with 46 abstentions. (Resolution 36/50.) This was a gain from the Indonesian point of view from the previous year's vote on a similar resolution of 58 to 35 (U.S.), with 46 abstentions and continued a trend of the last few years in Indonesia's favor.

Puerto Rico

The General Assembly removed Puerto Rico from the list of non-self-governing territories in 1953⁴, 1 year after Puerto Rico adopted its current commonwealth form of government. However, in recent years, despite U.S. objections that it has no authority to do so, the Special Committee on Decolonization, at the instigation of Cuba, has held hearings on Puerto Rico under the agenda item, "Question of the List of Territories to which the Declaration (on the Granting of Independence to Colonial Countries and Peoples) is Applicable." The United States does not participate in the Special Committee's

³ Frente Revolucionaria de Timor Leste Independente.

⁴ Resolution 748 (VIII).

consideration of Puerto Rico on the grounds that such consideration is outside the jurisdiction of the Special Committee and constitutes interference in the internal affairs of the United States and Puerto Rico.

In a letter to the Chairman of the Special Committee prior to the session on Puerto Rico, which commenced August 17, 1981, Ambassador Lichenstein reiterated the U.S. position that adoption of resolution 748 in 1953, which recognized Puerto Rico's self-governing status, and decisions by the General Assembly (1971) and the Fourth Committee (1978) to reject the inclusion of Puerto Rico on their respective agendas, constituted a body of practice and principle built up over the years concerning the issue of Puerto Rico in the United Nations. He noted that "The United Nations in 1953 decided on a certain course to follow in regard to Puerto Rico and has subsequently reaffirmed that course. Therefore, it seems to my Government totally improper for the Special Committee on Decolonization to take action contrary to a still valid resolution of the General Assembly and thereby to interfere in the affairs of the people of Puerto Rico and the purely domestic affairs of the United States."

The Special Committee considered the question of Puerto Rico under the topic "Special Committee decision of 20 August 1980 concerning Puerto Rico" in six meetings between August 17 and 20, 1981. The Special Committee in its plenary sessions heard the representatives of 19 organizations, including representatives of several political parties in Puerto Rico. On August 20 the Committee adopted a resolution sponsored by Cuba, Afghanistan, Syria, and Iraq by a vote of 11 to 2, with 11 abstentions, calling for Puerto Rico to be included as a separate item on the 1982 General Assembly agenda. The resolution and vote differed in significant respects from those in past years, which were for the most part long lists of grievances against the United States for perpetuating Puerto Rico's "colonial" status. The 1981 resolution proposed that the issue of Puerto Rico be placed on the agenda of the 37th General Assembly (1982) for discussion and debate, directly attacking the U.S. position that Puerto Rico is not an issue for UN debate. The sponsors of the resolution failed to reach consensus on the text of the resolution and in the final vote, Australia and Denmark voted against the resolution. Joining the sponsors in support of the resolution were Bulgaria, Congo, Czechoslovakia, Ethiopia, Iran, Tanzania, and the U.S.S.R. Abstaining were Chile, Fiji, India, Indonesia, Ivory Coast, Mali, Sierra Leone, Trinidad and Tobago, Tunisia, Venezuela, and Yugoslavia. China did not participate. Following the vote Ambassador Lichenstein issued the following statement:

"The United States deplores the outcome of the deliberations of the Special Committee on Decolonization. The United States regards the resolution concerning Puerto Rico as an inappropriate and wholly indefensible interference in the

internal affairs of Puerto Rico and the United States. The United Nations General Assembly recognized Puerto Rico's self-governing status in 1953. This was reaffirmed by the General Assembly in 1971 and 1978. On the basis of these decisions, and the principles stated in the United Nations Charter, the United States continues to oppose any action by the United Nations to inject itself into any decision about the status of Puerto Rico. That decision must reside and does reside with the people of Puerto Rico themselves.

"The United States will, of course, carry this fight into the forthcoming session of the 36th General Assembly."

The resolution concerning Puerto Rico was contained in the report of the Special Committee on Decolonization to the 36th General Assembly. It was adopted on December 1, 1981, as a part of an omnibus resolution dealing with aspects of the Committee's report. (Resolution 36/68.) Prior to the vote, General Assembly President Kittani made a clarifying statement that adoption of the resolution and approval of the Special Committee's report did not constitute a decision to include an item on Puerto Rico on the agenda of the 37th General Assembly, even though that was a recommendation of the Special Committee. The statement obviated the need for a vote on an amendment submitted by the United States that would have accomplished the same purpose. Following President Kittani's statement more than 30 delegations spoke in support of the U.S. position on Puerto Rico; only 2 (U.S.S.R. and Algeria) spoke in favor of the Special Committee's recommendation. The omnibus resolution was adopted by a vote of 130, to 3 (U.S.), with 10 abstentions. (See p. 308 for General Assembly consideration of the resolution.)

General Resolutions on Colonialism

As in previous years, the General Assembly adopted a number of resolutions dealing with various aspects of colonialism and racial discrimination. These resolutions were adopted under several different agenda items.

FOURTH COMMITTEE RESOLUTIONS

At 12 meetings between October 1 and November 16, the Fourth Committee considered the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid, and racial discrimination in Southern Africa."

During discussion of the item on October 13, Ambassador Sherman said that the United States could not accept the view that isolating South Africa could solve its problems. He said that the United States

was committed to assisting evolutionary change in South Africa through economic and commercial involvement.

On November 16 the Chairman drew attention to a draft resolution eventually sponsored by 31 states which, *inter alia*, affirmed the right to self-determination and independence; condemned foreign economic activities, particularly in South Africa, as detrimental to the interests of the people of those countries; strongly condemned Israel, the United States, France, and the Federal Republic of Germany for their nuclear collaboration with South Africa; condemned all military activities in Namibia and other colonial territories; and called upon those oil producing and oil exporting countries which had not already done so to take effective measures against the oil companies that supply petroleum products to South Africa.

In his explanation of vote, Ambassador Sherman said that the United States delegation would vote against the draft resolution because it would not accept the proposition on which it was based; namely, that the activities of foreign economic and other interests were all bad and that the presence of military bases in non-self-governing territories was automatically a hindrance to self-determination. His delegation also rejected the condemnation of the United States for its nuclear collaboration with South Africa, since his government had permitted no export of nuclear fuel or facilities to South Africa for the previous 5 years. Furthermore he opposed the singling out of his government and several others for their trade relations with the Pretoria regime, pointing out that many other governments represented in the Fourth Committee traded directly or indirectly with South Africa, often through their own state trading organizations.

The draft was approved on November 16 by a recorded vote of 93 to 16 (U.S.), with 28 abstentions, and adopted by the General Assembly in plenary session on November 24 by a recorded vote of 110 to 16 (U.S.), with 23 abstentions. (Resolution 36/51.)

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Specialized Agencies and the International Institutions Associated with the United Nations," the Fourth Committee approved on November 9, by a vote of 115 to 6 (U.S.), with 22 abstentions, a draft resolution introduced by Bulgaria and sponsored by 32 states. The resolution was adopted in plenary session on November 24 by a recorded vote of 124 to 6 (U.S.), with 23 abstentions. (Resolution 36/52.)

The resolution, almost identical to the resolution of the previous year, *inter alia*, affirmed the legitimacy of the struggle of colonial peoples and their liberation movements and requested UN specialized agencies to provide all moral and material assistance to the newly independent and emerging states. The resolution condemned

"the illegal colonialist regime of Pretoria," and requested UN specialized agencies to extend material assistance to the people of Namibia and their "sole and authentic representative, the South West Africa People's Organization."

In his explanation of vote in Committee, the U.S. Representative, Mr. Kinney, said the United States had voted against the resolution on the grounds that it always has objected to the politicization of the specialized agencies.

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-self-governing territories. The first resolution, introduced by Canada on November 4 and sponsored by 37 states including the United States, addressed the "UN Educational and Training Program for Southern Africa" (UNETPSA). The resolution, approved by the Fourth Committee without a vote on November 19, continued a program of scholarships for university students from South Africa and Namibia and appealed for further additional contributions. The resolution was adopted by the General Assembly also without a vote on November 24. (Resolution 36/53.)

The second resolution, entitled "Offers by member states of study and training facilities for inhabitants of non-self-governing territories," was sponsored by 28 states. The resolution, *inter alia*, expressed appreciation to those member states which had made scholarships available to the inhabitants of non-self-governing territories and invited them to continue doing so. The resolution was approved by the Fourth Committee on November 17 and by the General Assembly on November 24, in both instances without votes having been taken. (Resolution 36/54.)

On November 17 the Fourth Committee approved a draft resolution entitled "Information from Non-Self-Governing Territories transmitted under Article 73e of the Charter of the United Nations." The draft resolution, sponsored by 20 states and approved by a vote of 122 to 0, with 3 (U.S.) abstentions, *inter alia*, reaffirmed that, in the absence of a decision by the General Assembly that a non-self-governing territory has attained a full measure of self-government, an administering power should continue to transmit information on the territory under Article 73e. The resolution was adopted in the plenary Assembly by a vote of 149 to 0, with 3 (U.S.) abstentions. (Resolution 36/49.) The United States abstained because it did not consider the General Assembly to be the definitive authority as to when a territory had achieved a full measure of self-government.

PLENARY RESOLUTIONS

On November 25 Sierra Leone introduced two draft resolutions in the General Assembly under the agenda item "Implementation of

the Declaration on the Granting of Independence to Colonial Countries and Peoples." On the same day the United States introduced an amendment to one of the proposed resolutions.

The first, an omnibus resolution sponsored ultimately by 28 states, *inter alia*, approved the report of the Committee of 24 and its program for 1982; affirmed once again that the continuation of colonialism in all its forms—including racism, apartheid, and the exploitation by foreign interests of economic and human resources—was incompatible with the UN Charter and posed a serious threat to international peace and security; strongly condemned all collaboration with South Africa, particularly in the nuclear and military fields; called upon the "colonial powers" to withdraw their military bases from colonial territories; and requested all states to provide moral and material assistance to the people of Namibia. The U.S. amendment to the draft resolution would have withheld approval of that part of the Committee of 24's report that recommended the General Assembly examine the question of Puerto Rico as a separate item at its 37th session in 1982. The Committee also had urged the United States to adopt all necessary measures for full transfer of all powers to the people of Puerto Rico.

The second resolution, "Dissemination of Information on Decolonization," eventually attracted 19 sponsors. Among other things, the resolution approved the chapter of the report of the Special Committee on Decolonization relating to dissemination of information on colonialism; requested the Secretary General to continue to take concrete measures, through all media at his disposal, to give widespread publicity to UN work on decolonization; and invited all states to cooperate with the Secretary General in the dissemination of decolonization information.

The General Assembly adopted the two resolutions on December 1. Before the vote on the omnibus resolution the Assembly's President announced that the United States would not ask for a vote on its amendment based on the most widely accepted interpretation of the implications of the resolution—that the Assembly would recognize that the Special Committee had recommended that the Assembly examine the question of Puerto Rico, "but it would not constitute a decision by the General Assembly to do so." The resolution was adopted by a recorded vote of 130 to 3 (U.S.), with 10 abstentions. (Resolution 36/68.) The resolution on dissemination of information was adopted by a recorded vote of 138 to 0, with 6 abstentions (U.S.). (Resolution 36/69.)

The U.S. Representative, Ambassador Sherman, spoke before the vote on the two resolutions. He explained that despite U.S. support for the principle of self-determination and continuing opposition to colonialism, the United States was compelled to vote against the omnibus resolution because of its grave deficiencies. He said the

resolution's recommendations would not advance decolonization but would impede progress and jeopardize hard-won gains. He questioned the paragraph that recognized the legitimacy of peoples to exercise their right to self-determination by "all necessary means at their disposal," pointing out that certain actions can never be justified—indiscriminate murder, hijacking, the killing of diplomats. The United States objected to the paragraph that suggested that foreign economic or other interests in non-self-governing territories were intrinsically detrimental to the exercise of self-determination. Ambassador Sherman stated that the resolution's request for withholding any assistance to South Africa by states and the UN specialized agencies until South Africa restores the right of the Namibian people to self-determination introduced divisive political issues into the specialized agencies work, and that increased isolation of South Africa is counterproductive to the goal of independence for Namibia. He indicated that the United States did not believe that the presence of military bases on non-self-governing territories necessarily interferes with the process of self-determination and that the call for their unconditional withdrawal was unwarranted. He expressed appreciation for the Assembly's decision on the subject of Puerto Rico—that the adoption of the omnibus resolution did not constitute approval of the specific recommendation that the Assembly examine the question of Puerto Rico at its 37th session in 1982. The United States regarded the Special Committee's resolution as inappropriate and politically motivated. It attempted to interject the United Nations into the internal affairs of Puerto Rico and the United States. The General Assembly had recognized that Puerto Rico had exercised its right to self-determination by its resolution 748 in 1953—removing Puerto Rico from the list of non-self-governing territories—and reaffirmed by the Assembly in 1971 and 1978.

On December 9 the General Assembly considered a resolution entitled "Cooperation between the United Nations and the Organization of African Unity." The resolution, sponsored by 50 African states, was adopted without a vote on the same day. (Resolution 36/80.)

The resolution, *inter alia*, commended the increased cooperation between the United Nations and the OAU; requested the Secretary General to continue to take necessary steps to strengthen their cooperation at the political, economic, cultural, and administrative levels; called upon member states and UN organizations to increase their assistance to African refugees and African states affected by serious economic problems; reaffirmed that the United Nations should work closely with the OAU, taking into account the Lagos Plan of Action, toward the establishment of the new international economic order; and urged the specialized agencies to continue to expand their cooperation with the OAU, and through it, their assistance to the liberation movements recognized by the OAU.

While joining in the consensus adoption of the resolution—as a strong indication of U.S. support for the principles of the OAU—the U.S. Representative, Ambassador Adelman, stated reservations concerning elements of the resolution. He made clear that the U.S. position regarding the Lagos Plan of Action and the international development strategy remained unchanged. He reiterated the strong exception the United States takes to channeling UN or specialized agency funds through liberation movements. He cautioned that to identify the specialized agencies with political groups endangers their overall effectiveness. He also noted that the resolution's references to South African "acts of aggression" could in no sense override the Security Council's discretion in determining the existence of an act of aggression under Article 39 of the UN Charter.

Part 4

Legal Developments

Significant legal issues frequently arise in a wide variety of UN activities. However, many of these activities, such as review of the UN Charter, law of the sea, uses of outer space, human rights, UN administration and budget, and trusteeship matters, are discussed in other parts of this report in connection with the underlying issues to which they relate. Because of their specific legal character, Part 4 deals separately with the 1981 activities of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the Sixth (Legal) Committee of the General Assembly, and special conferences or committees that consider legal questions such as the drafting of conventions or relations between the United States as the host country and the United Nations and missions to the United Nations.

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. The Court's main functions are to decide cases submitted to it by states and to give advisory opinions on legal questions at the request of intergovernmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no two of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently, from a list of persons nominated by national groups of the Permanent Court of Arbitration. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. Court members are elected for 9 years, with one-third of the total number of judges elected every 3 years.

The deaths of Judge Richard R. Baxter (U.S.) on September 25, 1980, and Judge Salah El Dine Tarazi (Syria) on October 4, 1980, led to a special election on January 25, 1981, at which Stephen M.

Schwebel (U.S.) and Abdallah Fikri El-Khani (Syria) were elected to replace Judges Baxter and Tarazi. On August 15, 1981, the President of the Court, Sir Humphrey Waldock (U.K.), died. Regular elections were held on November 5, 1981, to select successors to Sir Humphrey and the other four judges whose terms were to expire on February 5, 1982, Andre Gros (France), Isaac Forster (Senegal), Nagendra Singh (India), and Jose Maria Ruda (Argentina). The U.S. national group, which acts for itself and not the U.S. Government, had nominated Guy Ladreit de Lacharriere (France), Robert Yewdall Jennings (U.K.), Nagendra Singh, and Jose Maria Ruda. The UN Security Council and General Assembly elected de Lacharriere, Jennings, Singh, Ruda, and Keba Mbaye (Senegal).¹

The Court submitted to the 36th General Assembly a brief report on its activities from August 1, 1980, to July 31, 1981. The report contained information on the Court's composition, jurisdiction, judicial work, administration, and publications. The General Assembly took note of the report at its 103rd plenary meeting on December 17. (Decision 36/439.)

Cases

CONTINENTAL SHELF (TUNISIA/LIBYAN ARAB JAMAHIRIYA)

The Continental Shelf (Tunisia/Libyan Arab Jamahiriya) case remained before the Court during 1981. The dispute between Tunisia and Libya over the delimitation of the continental shelf between them had been referred to the Court by special agreement between the parties notified to the Registrar of the Court by Tunisia on December 1, 1978, and by Libya on February 19, 1979. Both parties filed their Memorials before the May 30, 1980, time limit and subsequently exchanged Counter-Memorials before February 2, 1981.

On January 30, 1981, Malta filed an application requesting permission to intervene under Article 62 of the Statute of the Court. In March the Court heard argument on the application. On April 14 the Court, which considered that Malta had not invoked a legal interest of a nature that might be affected by the decision in the case, unanimously turned down Malta's request for permission to intervene.

U.S. DIPLOMATIC AND CONSULAR STAFF IN TEHRAN (UNITED STATES V. IRAN)

In its decision of May 24, 1980, the Court had made five individual findings in favor of the United States: (1) that Iran had violated and

¹ See Appendix 2, p. 376 for membership.

was then still violating obligations owed to the United States under international conventions and long-established rules of general international law; (2) that these violations engaged the international responsibility of Iran toward the United States under international law; (3) that Iran must immediately take all steps to redress the situation resulting from the events of and following November 4, 1979, including ensuring the immediate release and safe departure of the hostages; (4) that no member of the U.S. diplomatic or consular staff might be kept in Iran to be subjected to any form of judicial proceedings or to participate in them as a witness; and (5) that the Government of Iran was under an obligation to make reparation to the Government of the United States for the injury caused the United States by the events of and after November 4, 1979. The Court also decided:

that the form and amount of such reparation, failing agreement between the Parties, shall be settled by the Court, and reserves for this purpose the subsequent procedure in the case.

As a consequence of the January 19, 1981, Algiers Declarations, the United States, by letter dated April 6, requested that all proceedings pending before the Court regarding U.S. claims for reparation from Iran be discontinued and that the case be removed from the General List. The letter stated that the United States reserved the right to reinstitute the proceedings if Iran did not fulfill its commitments under the Declarations. The President of the Court, in a letter dated April 15, stated that a discontinuance subject to a right to reinstitute and pursue the proceedings could not be considered as falling within the terms of Article 88 of the Rules, which had been invoked in the U.S. request for discontinuance. In a reply on May 1, the United States explained that its reservations in the April 6 letter had not been meant to condition or qualify the normal procedural effect of a discontinuance. After transmitting the correspondence to the Government of Iran and receiving no reply, the Court, by Order of May 12, recorded the discontinuance of the case and directed that it be removed from the General List.

ADVISORY OPINION ON JUDGMENT NO. 273 OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

On July 28, 1981, the UN Committee on Applications for Review of Administrative Tribunal Judgments, acting at the request of the United States, submitted to the Court a request for an advisory opinion concerning a judgment of the UN Administrative Tribunal.

The case arose out of a challenge by a UN staff member to the application to him of a General Assembly decision to end the longstanding Secretariat administrative practice of paying the UN's

repatriation grant to expatriate employees upon termination of their UN service without requiring any evidence that the employee was, in fact, repatriating or relocating to a country other than the last duty station. On May 15, 1981, the UN Administrative Tribunal, with Mr. Reis (U.S.) dissenting, found in favor of the staff member, holding that he was entitled to receive the grant under the former administrative practice and that this entitlement to the grant without evidence of relocation was an "acquired right." The United States invoked the procedures for review of Administrative Tribunal judgments which had been introduced into Article 11 of the Statute of the Administrative Tribunal by General Assembly resolution 957 (X) of 1955, but which never before had been invoked by a UN member state. The United States based its objection to the Administrative Tribunal judgment on two of the four possible grounds for appeal: that the Administrative Tribunal had erred on a question of law relating to the provisions of the UN Charter and that the Tribunal had exceeded its jurisdiction or competence. The Committee on Applications for Review of Administrative Tribunal Judgments, which met July 9-13, decided:

that there is a substantial basis within the meaning of Article 11 of the Statute of the Administrative Tribunal for the application presented by the United States of America for review of Administrative Tribunal Judgment No. 273, delivered at Geneva on 15 May 1981. Accordingly, the Committee requests an advisory opinion of the International Court of Justice on the following question:

Is the judgment of the United Nations Administrative Tribunal Judgment No. 273, *Mortished v. the Secretary General*, warranted in determining that General Assembly resolution 34/165 of 17 December 1979 could not be given immediate effect in requiring for the payment of repatriation grants, evidence of relocation to a country other than the country of the staff member's last duty station?

The Court decided on August 6 that the United Nations and its member states would be allowed to submit statements on the question under Article 66(2) of the Rules of the Court and set October 31, 1981, as the time limit for comment. This subsequently was extended to November 30. The Court received the views of the staff member, transmitted by the Secretary General as required by the Administrative Tribunal review procedure. France and the United States submitted written statements. The comments of France supported the judgment of the Administrative Tribunal. The Court subsequently provided for a second round of comments to be submitted by April 15, 1982, and was expected to consider the advisory opinion request in May 1982.

INTERNATIONAL LAW COMMISSION

Pursuant to resolution 174(II) adopted by the General Assembly in 1947, the International Law Commission (ILC) was established in

1948 to promote the codification and progressive development of international law. The membership, which was increased from 25 to 31 during the General Assembly's 36th session, consists of legal experts serving in their individual capacities, who are elected by the General Assembly for 5-year terms. Steven Connally McCaffrey of the United States was elected on November 23, 1981, for a term which began on January 1, 1982. Professor McCaffrey succeeded the U.S. representative to the 33rd session, George H. Aldrich, who was elected on May 6, 1981, to fill the vacancy caused by the resignation of his predecessor, Stephen M. Schwebel, upon his election to the International Court of Justice.

The Commission studies topics it has determined are suitable for codification or that other UN bodies, usually the General Assembly, refer to it. Its normal procedure is to select one of its members to prepare a report and, after discussion, draft articles. The Commission sends texts to governments for review, reconsiders them in light of government comments, and then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

Work of the Commission's 33rd Session

The Commission held its 33rd session in Geneva from May 4 to July 24, 1981, under the chairmanship of Mr. Doudou Thiam (Senegal). The Commission considered six topics. With regard to the topic of "succession of states in respect of matters other than treaties," the Commission completed its draft articles on succession in respect of state property, archives, and debts; it completed its second reading of draft Articles 1 to 26 on the subject of "treaties between states and international organizations or between international organizations." The Commission continued its work on the topic of "state responsibility" by considering the first five draft articles of Part 2 on content, forms, and degrees of responsibility of states for internationally wrongful acts, and continued its work on the topic of "international liability for injurious consequences arising out of acts not prohibited by international law," on the basis of a second report submitted by the special rapporteur. With regard to the topic of "international immunities of states and their properties," the Commission also debated five new draft articles, which incorporated various means of expressing consent to jurisdiction and thereby qualified the general jurisdictional immunity of a state. The Commission also continued its work on the "status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic

courier.” Due to the resignation from the Commission of Mr. Schwebel, the special rapporteur for the item, the Commission suspended its work on the topic of nonnavigational uses of international watercourses pending the appointment of a new special rapporteur at the 1982 session.

SUCCESSION OF STATES IN RESPECT OF STATE PROPERTY, ARCHIVES, AND DEBTS

At its 33rd session the Commission completed its draft articles (39 in total) on this topic, dealing generally with the disposition of state property, archives, and debt in situations involving predecessor and successor states, and covering specifically issues such as the effect on succession of these items of independence and uniting of states, the transfer and separation of part of a state’s territory and dissolution of a state, and the passing of state property and archives without compensation. Over the reservations of certain members, the Commission recommended that the General Assembly convene an international conference of plenipotentiaries to study these draft articles and conclude a convention on the subject.

TREATIES BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS

At its 33rd session the Commission completed its second reading of Articles 1 to 26 on this topic, which it decided, over 15 years ago, to consider as a subject separate from that of treaties between states. The Commission took into account the written comments and observations received from governments and international organizations, as well as views expressed in the debates in the General Assembly. The Vienna Convention on the Law of Treaties provided the general framework for these draft articles, which deal with the same questions as the Convention and consequently parallel, with appropriate adjustments, its provisions, while remaining totally independent of and without referring back to those provisions. These articles cover, *inter alia*, the capacity of international organizations to conclude treaties, including means of expressing consent, and the questions of reservations to and observance of such treaties.

STATE RESPONSIBILITY

At its 33rd session the Commission considered Part 2 of the draft articles on the topic and specifically five draft articles dealing with the content, forms, and degrees of international responsibility, that is, with determining the consequences (reparative and punitive) which an internationally wrongful act of a state may have under

international law in different cases. The Commission already had completed at its 32nd session a first reading of Part 1 of the draft articles dealing with the origin of state responsibility—on what grounds and under what circumstances a state may be held to have committed an internationally wrongful act, which, as such, is a source of international responsibility. The Part 2 draft articles deal with the new obligation of the state held to have committed an internationally wrongful act, entailing its international responsibility, in terms of three analytical steps: the obligation to stop the breach, of reparation, and of satisfaction in the form of an apology and guarantee against repetition. There was considerable discussion of the manner in which these concepts were presented by the draft articles, which were sent, at the conclusion of the Commission's debate, to the Drafting Committee.

INTERNATIONAL LIABILITY FOR INJURIOUS CONSEQUENCES ARISING OUT OF ACTS NOT PROHIBITED BY INTERNATIONAL LAW

The Commission had before it the special rapporteur's second report, arranged into four chapters, which considered the relationship of the topic with the regime of state responsibility, discussed the relationship of "harm" and "wrong" in the context of the *Trail Smelter* case, stressed the importance of striking a balance of interests in regulating a transboundary harm, and reviewed the nature and scope of this topic. One draft article dealing with the scope of the topic was presented. It, however, generally was viewed as condensed and cryptic.

The Commission members reaffirmed the validity of the topic, noting that in modern conditions, useful activities producing harmful transboundary effects had to be regulated with minimal recourse to rules of prohibition. It was considered that more attention had to be paid to the question of the threshold amount of harm considered substantial in any transboundary situation, a matter of changing perspectives of the concerned states.

JURISDICTIONAL IMMUNITIES OF STATES

The Commission had before it the third report of the special rapporteur, containing five draft articles, which, he explained, flowed from the provisionally adopted general rule of state immunity from the jurisdiction of another state in the absence of consent (Article 6). The new draft Articles 8, 9, 10, and 11 on, respectively: consent, voluntary submission, counterclaims, and waiver, constituted different ways in which a state could consent to jurisdiction. It was noted that the general provision in Article 6 for state jurisdic-

tional immunity "in accordance with the provisions of the present articles" was dependent on the other relevant draft articles and thus could not qualify as an independent international legal rule. Although the Commission acknowledged that it would be ideal to consider together all provisions qualifying the general principle, a yearly report could do no more than present a piecemeal and necessarily incomplete picture. In view of the discussion, the special rapporteur revised and consolidated the five new draft articles into the following four (which were not reviewed by either the Commission or the Drafting Committee): "obligation to give effect to state immunity" (Article 7), "consent of state" (Article 8), "expression of consent" (Article 9), and "counterclaims" (Article 10).

General Assembly Action

The Sixth Committee of the 36th General Assembly considered the ILC report at 20 meetings between October 30 and and December 2. In a statement on November 2, the U.S. Representative in the Sixth Committee Robert B. Rosenstock commented, with respect to the draft articles on succession of states in respect of state property, archives, and debts, that the omission of an express reference to private debts was puzzling and intellectually invalid; and noted the uncalled-for inhibition on the actions of newly independent states in paragraph 4 of Article 14, and the failure of the commentary to that provision to discuss General Assembly resolution 1803 (XVII), which represented the highest level of agreement yet achieved on permanent sovereignty over natural resources, or to note the negative votes and the broad reservations recorded with regard to the resolutions cited. He criticized generally the Commission's recommendation for adoption of the draft articles in a convention and suggested the consideration of other modes, such as a declaratory code or model, for the final form of the document. With respect to the question of treaties concluded between states and international organizations or between two or more international organizations, Mr. Rosenstock questioned the overall approach of the Commission's report and the retention of certain distinctions between international organizations and states, especially since international organizations had a legal personality derived in the same way as that of states; he commended, however, the redrafting of Articles 1 to 26 as an immense improvement over the first draft.

In a statement on November 10, Mr. Rosenstock, commenting in a preliminary and provisional way on the draft articles on state responsibility, noted that the first three draft articles of Part 2 were a most useful statement of the general rules applicable to the relationship between the international obligations and breaches of those obligations and that the approach of separating and classifying

remedies traditionally analyzed together was a worthy point of departure for clarifying the rules concerning the content, forms, and degrees of state responsibility. He noted the reasonableness of requiring in most cases that an injured state notify the author state of the alleged wrong and the remedy desired, before taking retaliatory measures. With regard to international liability for injurious consequences arising out of acts not prohibited by international law, he commended the special rapporteur's masterly analysis of the *Trail Smelter* case, expressed hope that it would be possible to draft a set of general rules combining the need to provide reparation for damage done with the need to induce the taking of preventive measures by states engaging in certain types of activities, and noted the utility of the concept of "due care" in providing a measure of obligation that could be built on in the areas of notification and negotiation. He stressed that consideration of the instant subject should proceed independently of the question of state responsibility for wrongful acts, noted its close relation to that of nonnavigational uses of international watercourses, and criticized permitting a lapse in progress on the latter topic, stating that to stress the one and allow the other to lapse was illogical and unwise.

In a statement of November 16, on jurisdictional immunity, the U.S. Representative stressed the particular difficulty of commenting prematurely on the handling of the question of consent before having an idea of the exceptions or limitations on the general principles envisaged; he remarked on the inadequate explanation of the intended interrelationship between "consent" and "waiver" and the insufficient attention paid to the difference in the various forms of jurisdiction—adjudicative, legislative, and enforcement—that might be relevant to the consideration of immunity. He commented that the question of the status of the diplomatic courier and diplomatic bag unaccompanied by diplomatic courier did not merit the Commission's consideration, since the area already was governed sufficiently by well-settled rules that were not in urgent need of further elaboration. He concluded that the Commission's highest priority should be the appointment of a special rapporteur on the law of nonnavigational uses of international watercourses, and the preparation of a new 5-year program of work.

In the Sixth Committee on December 1, Sierra Leone introduced a draft resolution that ultimately was sponsored by 36 states. The draft resolution decided to convene an international conference to consider the draft articles on succession of states in respect of state property, archives, and debts and to embody the result of its work in an international convention and such other instruments as it may deem appropriate. The draft resolution requested that the conference be convened early in 1983 at a location determined by the General Assembly's 37th session. The resolution was approved by

consensus in the Sixth Committee on December 1 and adopted by consensus in the General Assembly on December 10. (Resolution 36/113.)

On December 1 speaking in the Sixth Committee, the U.S. Representative explained that if a vote had been taken on the draft resolution the United States would have abstained because it considered it imprudent to proceed precipitously to a plenipotentiary conference on the topic.

In the Sixth Committee on December 2, Venezuela introduced a draft resolution on the International Law Commission's report. The resolution, eventually sponsored by 34 states, expressed appreciation and satisfaction with the Commission's work and encouraged its completion or continuation, as appropriate, of the various aforementioned topics. The resolution was approved by consensus in the Sixth Committee on December 2 and adopted in plenary on December 10, also by consensus. (Resolution 36/114.)

INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL), established by the General Assembly in 1966, continued to be a productive, highly professional body which contributes to the harmonization and unification of the law of international trade. The Commission is composed of 36 members elected by the Assembly for a term of 6 years.²

Work of the Commission's 14th Session

UNCITRAL's 14th session, which took place in Vienna June 19-26, 1981, considered the following topics: international payments, international trade contracts, international commercial arbitration, its work program related to a new international economic order, and training and assistance in the field of international trade law. The U.S. Representatives were Peter H. Pfund, Assistant Legal Adviser for Private International Law of the Department of State; Brewster Hemenway, Counselor of the U.S. Mission to UNIDO; Howard M. Holtzmann, Chairman of the International Arbitration Committee of the American Arbitration Association; and Professor Joseph C. Sweeney, Fordham University School of Law.

As the work of UNCITRAL is carried out largely by working groups of varying size after preliminary studies by the Secretariat,

² Members in 1981 were Australia, Austria, Burundi, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Egypt, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Hungary, India, Indonesia, Iraq, Italy, Japan, Kenya, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Tanzania, Trinidad and Tobago, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.

the work of the Commission's sessions is mainly devoted to considering reports from the Secretariat and from working groups. The major items considered are described below.

The Working Group on International Negotiable Instruments reported that it expected to complete its work on a draft convention on international bills of exchange and international promissory notes and on uniform rules on international checks at its 11th meeting in August 1982. A discussion on how the Commission should proceed once governments have submitted their draft comments and proposals was preliminary and inconclusive. Further discussion of procedures will take place at the Commission's 15th session.

The Commission agreed to task its Working Group on International Negotiable Instruments with formulating a unit of account of constant value (i.e., not subject to the erosion of its purchasing value) for use in international conventions.

The Commission decided to circulate to governments the set of draft uniform rules on liquidated damages and penalty clauses prepared by its Working Group on International Contract Practices. It was agreed that the decision on the form that the rules might take should be deferred to a later session.

The Commission discussed the desirability of issuing guidelines for the administration of arbitrations under the UNCITRAL arbitration rules and agreed that the Secretariat-proposed guidelines should be revised to enable the Commission to adopt appropriate guidelines at its next session. The Commission, supporting the suggestion to develop a model law on international commercial arbitration, agreed that the Secretariat-prepared report on the possible features of such a model law should form the point of departure for the efforts of the Working Group on International Contract Practices to prepare a draft model law.

The Commission had before it the report of the Working Group on the New International Economic Order, which had discussed a number of the types of clauses found in contracts for supply and construction of large industrial works. It approved the recommendation of the Working Group that it draft a guide on the legal issues involved for use by the parties in the negotiation of such contracts.

The Commission held the second UNCITRAL Symposium on International Trade Law in Vienna concurrently with the Commission's 14th session. Mr. Holtzmann and Professor Sweeny were lecturers at the Symposium, which was attended by 15 participants holding fellowships made possible by funds donated by 9 countries and 43 additional participants from 24 countries attending at their own expense.

General Assembly Action

The Sixth Committee of the 36th General Assembly considered the report of UNCITRAL at five meetings during September 23 to 29 and

on November 6, 1981. The U.S. Representative, Mr. Rosenstock, joined in the expressions of general satisfaction with UNCITRAL's working methods and work products.

The Sixth Committee on November 6 approved by consensus a draft resolution introduced by Austria and ultimately sponsored by 35 states which, *inter alia*, (1) commended UNCITRAL on its progress; (2) welcomed UNCITRAL's decision to commence work on the drafting of a legal guide identifying the legal issues involved in contracts for the supply and construction of large industrial works and the negotiation of such contracts; (3) welcomed the invitation by the Hague Conference on Private International Law to all states to participate in its 1985 session to revise the 1955 Hague Convention on the Law Applicable to the International Sales of Goods and to UNCITRAL member states to attend a 1982 Special Commission session to consider preparatory work for that revision; (4) welcomed the invitation by the International Institute for the Unification of Private Law (UNDROIT) to UNCITRAL member states that are not Institute members to participate in its Committee of Governmental Experts which considered a draft Uniform Law on Agency of an International Character in the International Sale of Goods; (5) in reaffirming UNCITRAL's work on training and assistance in international trade law, expressed appreciation to states for their contributions to fellowships for participants from developing countries at the second Symposium on International Trade Law, and to the Commission for the success of the Symposium; and (6) requested the Secretary General to bring to the attention of all states that have not ratified or acceded to the UN conventions that were prepared by UNCITRAL, to point out once more that their early entry into force and wide acceptance would be of great value for the unification of international trade law.

The General Assembly, on November 13, adopted the draft resolution by consensus (Resolution 36/32.)

DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND

The General Assembly has been considering this item on and off since 1947 without definitive result. The original impetus for the exercise was an inclination to draft highly detailed rules, violation of which would constitute criminal behavior. Initial efforts resulted in a draft by the International Law Commission which did not command sufficient support for final action to be taken. After a hiatus of 20 years, during which the Assembly dealt in other forms with much of the conduct in question in such instruments as the Genocide Convention and the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in

Accordance with the Charter of the United Nations, the Assembly began considering the item again at its 33rd session in 1978.

In the course of the Assembly's consideration of the item in 1978, 1980, and 1981, and in written comments, the United States along with most of the Western European countries expressed great doubt that any useful progress could be made on the issues, which are inextricably linked to the mechanism of international criminal jurisdiction on which progress is most unlikely. Western countries also noted the extent to which much of the original material had in fact been elsewhere dealt with in the interim. Support for the item from some non-aligned countries and the Soviet Union has been sufficient to keep it before the United Nations.

The Sixth Committee considered the item at five meetings between November 24 and December 4. On December 4 the Sixth Committee approved by a vote of 89 to 0, with 17 abstentions (U.S.), a draft resolution introduced by Zaire on behalf of 19 sponsors. The resolution invited the ILC to resume work on the matter and recommended that the item be included in the agenda of the Assembly's 37th session.

The Assembly adopted the resolution on December 10 by a vote of 129 to 0, with 17 abstentions (U.S.). (Resolution 36/106.) In addition to U.S. skepticism at the utility of any consideration of the item, the United States indicated that to submit the item to the ILC and also recommend its inclusion as a separate item in the 37th session's agenda was under any circumstances excessive.

MOST-FAVORED-NATION CLAUSE

A most-favored-nation (MFN) clause is a treaty provision which binds granting states to accord beneficiary states treatment on a specific subject on terms no less favorable than the terms accorded to any other state on that subject.

In 1978 the International Law Commission completed work on a draft set of articles on the most-favored-nation clause and submitted them to the 33rd UN General Assembly. In so doing the Commission adopted a decision recommending to member states that the articles be considered with a view to the conclusion of a convention on the subject. Several of the articles were controversial, with the most controversial being those dealing with exceptions to the MFN clause. The 33rd General Assembly, in its resolution concerning the report of the ILC, included a separate section devoted to the MFN clause, invited comments from states on the Commission's work and on those provisions of the draft articles on which the Commission had not been able to take decisions, and placed the question of the MFN clause on the provisional agenda of the 35th session as a separate item. Pursuant to Sixth Committee consideration of the Secretary

General's report containing government and intergovernmental organization comments and observations, the 35th General Assembly adopted resolution 35/161, which, *inter alia*, included the item in the provisional agenda of the 36th session.

Accordingly, at the 36th General Assembly, the Sixth Committee had before it the Secretary General's report containing comments and observations submitted by governments, organs of the United Nations, and intergovernmental organizations and an analytical compilation of those comments and observations. The U.S. comments, which had been reported to the 35th General Assembly, generally praised the draft articles. The United States also noted that the entire subject of the MFN clause was itself evolving; and therefore, rather than call for a plenipotentiary conference to adopt a convention, it favored adoption of the draft by means of a General Assembly resolution which might describe the articles as a code of conduct or a declaration.

The Sixth Committee considered the item at eight meetings between November 19 and December 1. On November 24 the U.S. Representative, Mr. Rosenstock, objected to obfuscating the question of the MFN clause by introducing the concept of non-discrimination, which was not justified by either international law or the ILC work; noted that the debate showed that continuing government consideration was needed before establishing a common basis on which to decide the future of the draft; stated that the clause should not be considered a means of resolving developing countries problems or the North-South dialogue; believed that submission of the draft to the UN Commission on International Trade Law was inappropriate since the subject fell within the sphere of public international law rather than private law, which is the proper concern of UNCITRAL.

On December 1 Hungary introduced a draft resolution on behalf of six states. The draft resolution, *inter alia*, requested the Secretary General to reiterate his invitation to states and relevant UN organs and intergovernmental organizations to submit or update any comments on the draft articles on MFN clauses and requested states to comment on the ILC's recommendation that the draft articles be adopted as a convention. It also decided to include the item in the agenda of the 38th session in 1983 and at that time consider as a matter of priority the substance of the draft articles. The Committee approved the draft resolution by consensus on the same day and it was adopted in plenary session by consensus on December 10. (Resolution 36/111.)

REVIEW OF THE MULTILATERAL TREATY-MAKING PROCESS

This item originally was included in the agenda of the 32nd General Assembly at the request of Australia and six other countries

to assess the efficiency of the various methods of multilateral treaty making. The 36th General Assembly allocated the item to the Sixth Committee which had before it the Secretary General's report containing the observations and comments of governments, international intergovernmental organizations, and other interested organizations.

The Sixth Committee considered the item at five meetings from November 19 to December 1. On November 24 the U.S. Representative, Mr. Rosenstock, noted the impressive achievements in the field of codification and progressive development of international law through multilateral treaties; the need for improving both the output and functioning of relevant existing agencies, such as UNCITRAL and the International Law Commission, and the working methods of the Sixth Committee itself. He expressed the belief that requests for a state to consider treaty ratification or to give reasons for not having done so did not prejudice a state's sovereign rights, and he noted the need for a general discussion of the alternatives to treaties as the final product of work on a particular topic.

On December 1 Australia introduced a draft resolution, ultimately sponsored by 17 states, which, *inter alia*, (1) decided to establish a working group of the Sixth Committee at the 37th session of the General Assembly; (2) invited further observations from governments and international organizations and requested the Secretary General to submit a report to the 37th General Assembly; (3) further requested the Secretary General to prepare certain documentation for use by the working group and to prepare and publish new editions of relevant UN publications as soon as possible; and (4) placed the item on the provisional agenda of the 37th General Assembly. On the same day the Sixth Committee approved the draft resolution by a vote of 94 (U.S.) to 0, with 17 abstentions. The General Assembly adopted the resolution on December 10, by a vote of 128 (U.S.) to 0, with 18 abstentions. (Resolution 36/112.)

NON-USE OF FORCE IN INTERNATIONAL RELATIONS

In 1977, on the basis of a Soviet proposal, the 32nd General Assembly established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations with the mandate "to consider proposals and suggestions submitted by any state . . . with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations, as the Committee deems appropriate." On March 27, 1980, the United States informed the Secretary General that it would not participate in the 1980 session of the Special Committee, because at the 34th General Assembly the Soviet Union had insisted on the addition of

language which the United States believed placed too much emphasis on the early completion of a world treaty on the non-use of force, thereby prejudicing the Special Committee's mandate. In 1981 the United States renewed its participation in the Special Committee because the 35th General Assembly had modified the language governing the mandate of the Committee in such a way as to meet U.S. concerns.

Special Committee

The Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations³ held its 4th session in New York from March 23 to April 17, 1981. The Committee devoted nine meetings to a general debate; 28 states, including the United States, spoke, and three main views emerged. One supported the Soviet proposal to draft a world treaty on the non-use of force. The second, espoused by an increasing number of the non-aligned countries, supported a declaration of principles on the non-use of force. The third opposed a treaty and suggested that the Committee study why states resort to force and proposed that various peaceful settlement mechanisms be strengthened.

On March 26 the U.S. Representative, Mr. Rosenstock, reiterated the reasons for the continuing U.S. opposition to a treaty. He contrasted the Soviet's call for a treaty with Soviet conduct in Afghanistan, Hungary, and Czechoslovakia and noted that the Brezhnev doctrine of limited sovereignty, which Mr. Rosenstock characterized as condoning "rapacious conduct in suppressing the will of the people," had been invoked on several occasions, first in 1968 and as recently as that month. Stating that a possible treaty should not distract the Committee from concentrating on real and serious global problems, he stressed that the Committee usefully could examine ways to give life to the non-use of force principle, such as improving the peaceful settlement of disputes mechanism and the collective security system.

On March 25 the Committee established a working group in which the members could consider specific proposals. The working group held 12 meetings between April 1 and April 13. On April 17 the Committee considered and approved the report of the working group and also adopted its own report. The Committee's report to the General Assembly contained no recommendations or conclusions.

³ The 35 members in 1981 were Argentina, Belgium, Benin, Brazil, Bulgaria, Chile, Cuba, Cyprus, Ecuador, Egypt, Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and United States.

General Assembly

The Sixth Committee of the 36th session of the General Assembly considered the report of the Special Committee at 12 meetings between September 22 and October 21.

On October 1 the U.S. Representative, Mr. Rosenstock, argued the inutility of a treaty: if it were the same as the Charter, it was redundant or worse; if different, it could—even worse—lead to confusion on critical norms related to the non-use of force. In noting the plethora of existing resolutions and declarations and observing that the non-use of force principle was understood even by those who flouted it, he again urged that attention be focused on improving alternatives to the use of force such as peaceful settlement of disputes and the collective security system.

The Committee had before it a draft resolution which ultimately was sponsored by 31 states. This draft differed from the resolution adopted at the 35th General Assembly in that it directed the Committee, in considering a world treaty on the non-use of force, to give consideration to other appropriate recommendations. On October 21 the Committee approved the draft resolution by a recorded vote of 87 to 15 (U.S.), with 9 abstentions. In explaining the U.S. vote Mr. Rosenstock pointed out that changes in the text were insufficient to change the flawed mandate of the Special Committee. He also noted that the situation in certain areas of the world had not changed in a manner to cause the United States to reconsider its attitude on the item.

On November 13 the General Assembly in plenary session adopted by a recorded vote of 113 to 15 (U.S.), with 10 abstentions, the resolution recommended to it by the Sixth Committee. (Resolution 36/31.)

HOST COUNTRY RELATIONS

The General Assembly established the 15-member Committee on Relations with the Host Country⁴ in 1971 to replace the informal Joint Committee on Host Country Relations. The Committee's work includes, among other things, security of missions and safety of personnel, as well as tax problems and other issues relating to the Headquarters Agreement.⁵

During 1981 the Committee received a number of notes from member countries reporting acts of violence, demonstrations, and other events said to affect the security of missions and personnel.

⁴ The Committee's membership in 1981 was as follows: Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, U.S.S.R., United Kingdom, and United States.

⁵ Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (resolution 169 (II), Oct. 31, 1947).

The U.S.S.R. in notes dated February 3, March 25, April 10, and May 8 alleged that several hostile actions had occurred against staff of the mission, members of their families, and Soviet citizens working in New York. These acts included an assault on a member of the mission on January 22, verbal insults, and incidents in which Soviet personnel were harassed physically. In each case the United States responded by investigating thoroughly the Soviet allegation and reporting its findings to the Committee. With respect to the alleged ongoing harassment, representatives of the New York police and the FBI met with Soviet mission personnel in an effort to identify those responsible. A plainclothes crime prevention team was established to support the existing 24-hour fixed post uniformed coverage. The United States stated that it regretted the incidents and emphasized the need for their timely reporting and for the full cooperation of the Soviet mission. The United States regretted the decision of the U.S.S.R. mission not to testify in court, which severely hampered law enforcement efforts. The United States rejected all charges of "connivance" in such incidents and reaffirmed its commitment as host country to continue to take the necessary measures to safeguard Soviet properties and mission personnel.

The Committee considered another incident concerning the security of missions and their personnel—the July 30 occupation of the Libyan mission. Libya complained that U.S. authorities had not taken adequate measures to prevent this act of vandalism and accused the U.S. Government of collusion. The U.S. mission categorically rejected these suggestions of improper or inadequate conduct or collusion. The U.S. Representative pointed out that U.S. authorities had arrived on the scene within minutes, had ended the occupation of the mission quickly, and had restored the premises safely to the mission's staff. The United States reaffirmed its strong condemnation of acts violating the premises of foreign diplomatic missions or the security of their personnel.

Also considered by the Committee were several complaints by the Soviet mission concerning explosive devices found under its vehicles. The U.S. Representative recalled that the explosives had been rendered inoperative by the police and that within 5 days the FBI had arrested an individual in a separate firebombing case and charged him with placing the devices. The U.S. Representative emphasized that the police had taken effective measures to prevent future incidents of this type.

The Committee met on November 20 to consider a protest lodged by the U.S.S.R. concerning the firing of 14 shots into the residence of the U.S.S.R. Permanent Representative. It demanded that effective measures be taken to prevent further attacks. The U.S.S.R. Representative requested the circulation of a Soviet press release listing all alleged serious attacks against Soviet citizens since 1971.

On November 30 the U.S. Representative responded to the Soviet press release. The U.S. Representative concluded that the U.S.S.R. mission failed to include in its list of nine incidents the various investigative and preventive measures which had resulted in numerous arrests and criminal convictions. The U.S. Representative responded in detail to each of these incidents and requested that the U.S. response be part of the Host Country Committee report. He expressed sincere regret over the recent shooting incident and assured the U.S.S.R. mission that an energetic and immediate investigation had been initiated immediately after the incident and that two persons had been arrested and charged with the shooting.

On November 30 the Committee approved recommendations concerning the security of missions and their personnel, the unpaid bills of certain missions and their personnel, and parking problems.

The Sixth Committee of the 36th General Assembly considered the report of the Committee on Host Country Relations at two meetings on December 4. The U.S. Representative, Mr. Rosenstock, expressed pride in the role of the United States as host country. The fulfillment of its obligations, he said, were both a duty and an honor. He condemned all terrorist acts, whatever their motive. Considering the violence prevalent in the world, living conditions in New York for almost the entire diplomatic community were as calm as possible, and U.S. authorities were working to maintain and improve that situation.

The Sixth Committee approved by consensus a resolution, introduced by Czechoslovakia and sponsored by 10 states, which, *inter alia*, (1) accepted the recommendations of the Committee on Host Country Relations; (2) strongly condemned acts of terrorism against the missions; (3) requested the Secretary General to remain actively engaged in all aspects of host country relations, in particular to stress to the host country the importance of effective preventive measures to avoid acts of terrorism; and (4) requested that the Committee on Relations with the Host Country continue its work.

On December 10 the General Assembly adopted the draft resolution by consensus. (Resolution 36/115.)

REGISTRATION AND PUBLICATION OF TREATIES

Due to the tremendous increase in the number of bilateral and multilateral agreements concluded in recent years, the UN Secretariat has had difficulty in fully implementing Article 102 of the UN Charter which calls for the registration and publication of "every treaty and every international agreement entered into by any Member of the United Nations."

In 1978 the General Assembly adopted a number of reform measures designed to reduce the delays and costs connected with the

publication of treaties and agreements. The primary objective was to ensure that the *UN Treaty Series* is current at all times. Specifically General Assembly resolution 33/141 A permitted the Secretary General not to publish certain types of bilateral agreements—assistance agreements of limited scope concerning financial, commercial, administrative, or technical matters; agreements relating to the organization of conferences, seminars, or meetings; and agreements that are to be published elsewhere than in the *UN Treaty Series*—thus reducing the annual volumes of the *UN Treaty Series* by more than 20% with annual savings in excess of \$500,000. In 1980 the General Assembly, in resolution 35/226 A, took note of the Secretary General's proposed 9-year recovery plan and approved appropriations to carry out the first phase of the plan to eliminate the backlog in the publication of treaties and agreements.

During the 36th General Assembly this item again was allocated to the Sixth Committee, which had before it for consideration the Secretary General's report. The report stated that the registration backlog on August 31, 1981, was 5 months, whereas it had been 24 months on August 31, 1979. With regard to publication the Secretary General's recovery plan covers the period 1980–88 and calls for a total of 620 volumes of the *UN Treaty Series* to be published during that period (40 per year on new treaties and agreements and a total of 260 over the period to eliminate the backlog). However, only 17 volumes were published in 1980 and, as of August 31, 1981, only 11 had been published in 1981. According to the Secretary General, the UN Secretariat has fallen behind the schedule set in the recovery plan due to difficulties related to recruiting and training personnel, translation into French and English of treaties concluded in other languages, copy editing, and printing.

The Secretary General expressed the hope in his report that computerization of the registration process will minimize the future backlog, but he also voiced concern over the increase in depositary functions for multilateral treaties which the United Nations must carry out on a highest priority basis but which may draw resources away from registration and publication.

As of August 31, 1981, the United States was one of only 23 states, 8 specialized agencies, and 5 intergovernmental organizations which had responded to the Secretariat's 1979 questionnaire regarding activities in the matter of international agreements. To allow more time for analysis of the replies received as well as additional time for states to respond, the Secretary General suggested that the General Assembly defer consideration of the questionnaires until the 37th session.

On November 19 the Sixth Committee recommended a draft decision by which the General Assembly would take note of the Secretary General's report. That decision was adopted by the General Assembly on December 4. (Decision 36/425.)

INTERNATIONAL CONVENTION AGAINST MERCENARY ACTIVITIES

On September 18, 1981, the General Assembly allocated this item to the Sixth Committee, which had before it the first report of the 35-member *Ad Hoc* Committee on the Drafting of an International Convention Against the Recruitment, Use, Financing, and Training of Mercenaries.⁶ The *Ad Hoc* Committee, created by General Assembly resolution 35/48, held its first meeting in New York from January 20 to February 13, 1981, under the chairmanship of Mr. Mohammed Bedjaoui (Algeria).

The *Ad Hoc* Committee had before it a draft international convention prepared by Nigeria, comments from several member states, and a compilation of international agreements and national legislation relating to mercenary activities. During this meeting the *Ad Hoc* Committee identified the following important issues that must be resolved before an international convention can be concluded: the current status of mercenaries under international law, the elements to be included in any convention, the definition of mercenary, the distinctions to be drawn between mercenaries and other types of combatants and military advisers, the designation of acts to be encompassed by a future convention, the standards to be applied with regard to humane treatment and fair trial, and the wisdom of dealing in an instrument such as the proposed convention with the delicate and intricate question of state responsibility.

In the Sixth Committee during the 36th session of the General Assembly, the U.S. Representative urged the *Ad Hoc* Committee to focus on the legal aspects of the mercenary question, rather than engaging in political debates. In addition to the issues identified above, the U.S. Representative maintained that any convention should adhere faithfully to the definition of "mercenary" in Article 47 of Protocol I (1977) to the 1949 Geneva Conventions and should in no way conflict with the relevant provisions of Protocol I, should not politicize the definition of "mercenary activity" by categorizing it as good or bad depending on the party supported by the mercenaries in question, and should leave intact the right of states to recruit non-national personnel for the armed forces. He further stated that the *Ad Hoc* Committee should not attempt either to deal with basic issues of state responsibility or to define the term "mercenarism." The United States considered that the emphasis should be placed on harmonization of domestic criminal legislation relating to mercenaries.

⁶ Only 34 of the Committee's authorized 35 members had been appointed in 1981: Algeria, Angola, Bahamas, Bangladesh, Barbados, Benin, Bulgaria, Canada, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Guyana, India, Italy, Jamaica, Japan, Mongolia, Nigeria, Portugal, Senegal, Seychelles, Spain, Suriname, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yemen (Aden), Yugoslavia, Zaire, Zambia.

On November 24 Nigeria introduced a draft resolution, also sponsored by 58 other states, in which the General Assembly, *inter alia*, decided to renew the mandate of the *Ad Hoc* Committee and to include the item in the provisional agenda of the 37th session of the General Assembly. The Sixth Committee approved the resolution by consensus on November 24.

The U.S. Representative, speaking in the Sixth Committee on November 24, expressed reservations about some of the language in the resolution and pointed out that the text would be more accurate if it did not assert that all mercenary activities are violations of international law, but rather that some mercenary activities were violations of international law. However, the United States condemned the illegal use of force against any state and therefore had joined with other member states in approving the resolution condemning the illegal use of force by mercenaries.

On December 4 the General Assembly adopted the text by consensus. (Resolution 36/76.)

DEVELOPMENT OF PRINCIPLES CONCERNING INTERNATIONAL ECONOMIC RELATIONS

The Sixth Committee of the 36th General Assembly considered the item "Progressive development of the principles and norms of international law relating to the new international economic order (NIEO)" at eight meetings from November 30 to December 2.

The Committee had before it a report of the Secretary General containing a list, prepared by UNITAR, of existing and evolving principles and norms of international law relating to the new international economic order concerning the economic relations among states, international organizations, and other entities of public international law, and the activities of transnational corporations. The report also included views submitted by member states. The United States had voted against resolution 35/166, which mandated this report and had objected, *inter alia*, that the concept of the NIEO was only a process through which the international community was striving to reorganize certain aspects of international economic policy and relations; that the resolution was premature in its reference to "the urgent need for a systematic and progressive development of the principles and norms" of international law relating thereto, considering the preliminary stage of the concept's evolution; and that the task assigned to UNITAR was imprudent, noting that UNITAR had been directed to base its study on documents against which the United States and others had voted and to which both the United States and a number of states had expressed broad and fundamental reservations.

On December 1 the Philippines introduced a draft resolution, subsequently sponsored by nine other states which, *inter alia*, (1)

recognized the need for a systematic and progressive development of the principles and norms of international law relating to the new international economic order; (2) requested UNITAR to prepare an analytical study on the progressive development of the principles and norms of international law relating to the new international economic order; and (3) requested the Secretary General to submit to the 37th General Assembly on a priority basis a report on the above-mentioned UNITAR study.

At the same meeting the Committee approved the draft resolution by a recorded vote of 77 to 1, with 32 (U.S.) abstentions. Speaking before the vote Mr. Rosenstock explained that the U.S. abstention was made possible by certain amendments, but that the United States could not support the draft resolution because the level of political agreement in the international community regarding the nature of a new international economic order was inadequate to permit useful discussion of the "progressive development of the principles and norms" relating thereto.

The resolution was adopted in the plenary Assembly on December 10 by a vote of 113 to 0, with 32 (U.S.) abstentions. (Resolution 36/107.)

PROTECTION OF DIPLOMATS

The item on "Consideration of Effective Measures to Enhance the Protection, Security, and Safety of Diplomatic and Consular Missions and Representatives" was considered by the Sixth Committee at six meetings from October 16 to November 5.

The draft resolution, sponsored by 17 countries, was introduced on October 16 by Under Secretary General Suy, Legal Counsel of the United Nations. Mr. Suy said that it had been included in the agenda of the 35th General Assembly at the request of the five Nordic countries, against a background of information concerning violations of, or failures to observe, the relevant rules of international law providing for the protection of diplomatic and consular missions and representatives. The General Assembly, by unanimously adopting resolution 35/168, had confirmed the appropriateness of the initiative taken by the Nordic countries.

Speaking on the same day Mr. Rosenstock, the U.S. Representative, said that since earliest times it had been recognized that diplomatic and consular representation was absolutely essential to the conduct of international relations. The earliest examples of international laws related to the protection of envoys and, more recently, clear rules had been elaborated for the protection of international civil servants. Nevertheless, incidents involving attacks on diplomatic and international civil servants had escalated at an alarming rate during the past few years. Although some violent

episodes of the kind were inevitable in a violent world, they should be exceptions and not daily occurrences. The Secretary General's involvement in monitoring the situation and seeking a solution was a partial answer, but the international community must strive toward a coordinated international response. It had been agreed at the Ottawa summit conference in July 1981 that governments would consult immediately on an appropriate response to such incidents. The framework of the United Nations was ideally suited to solving such common problems and the United States was anxious to work closely with all member states to broaden support for the existing conventions and to develop consultative procedures to deal with the violations.

The resolution, *inter alia*, condemned attacks against diplomats and diplomatic premises; called upon states to consider ratifying the existing conventions; called for increased cooperation among states to prevent such attacks; and called for strengthening the reporting mechanism on incidents which do occur by requesting the Secretary General to remind states of the mechanism.

The resolution was approved in Committee on November 5, and in the plenary Assembly on November 13, in both instances by consensus. (Resolution 36/33.)

PROTECTION OF PERSONS UNDER DETENTION OR IMPRISONMENT

When the General Assembly adopted the Declaration on the Protection of All Persons From Being Subjected to Torture in 1975 at its 30th session (resolution 3453 (XXX)), it proposed that as an additional international effort the Commission on Human Rights formulate a Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment. (Resolution 3453 (XXX).) Responding to this request the Commission at its 35th session forwarded a Body of Principles which had been prepared by its Subcommission on Discrimination and Minorities to ECOSOC (Commission resolution 17 (XXXV)) with a request that the Principles be transmitted to governments for comments so that the General Assembly could consider their adoption at its 35th session. Prior to the 35th session the United States submitted detailed written amendments to the draft Body of Principles. At the 35th session the Assembly established an open-ended working group in the Third Committee to elaborate a final version of the draft Body of Principles. The United States actively participated in this working group, which was unable to conclude its task at the 35th session. In resolution 35/177 of December 15, 1980, the Assembly decided to refer to its 36th session the draft Body of Principles for consideration by its Sixth Committee, and further decided to establish at its 36th

session an open-ended working group with the intention of concluding the consideration of the draft Body of Principles with a view to its adoption by the General Assembly.

On September 18, 1981, the General Assembly assigned the Draft Body of Principles to the Sixth Committee, where the U.S. Delegation was instrumental in bringing about the establishment of an open-ended working group, ensuring that its meetings commenced early in the 36th session, and insisting that it receive as much time for meetings as any other working group of the Sixth Committee. Under the chairmanship of Mr. Luigi Ferrari Bravo (Italy), the Working Group on the Draft Body of Principles held 14 meetings during the 36th session and submitted a detailed report on its work to the Sixth Committee.

During the 35th session the working group of the Third Committee on the Draft Body of Principles deferred action on the matter of definitions but was able to adopt provisionally Principles 1, 1 bis, 2, 3, 4, 5, and 6 (paragraphs 1 and 2). The working group of the Sixth Committee decided to start its work where the Third Committee working group had left off in 1980. However, in light of the Sixth Committee's special interest, the working group decided to review briefly the principles decided upon by the Third Committee working group and to assemble comments and proposals of delegations which would be useful during a second reading. Several delegations made substantive drafting suggestions during the review of these principles, and at least some of them presumably will be revised during the second reading.

After completing its review of the aforementioned principles, the working group provisionally adopted texts for paragraph 3 of Principle 6, Principles 7 and 8, and paragraph 1 of Principle 9. These provisions concern, *inter alia*, the manner of reporting violations of the Body of Principles, segregation of sentenced prisoners and detainees, judicial or other authority over arresting and detaining authorities, and a detainee's rights to counsel and a hearing.

On December 1 the Sixth Committee took note of the working group report and approved by consensus a draft decision suggested by Sweden to refer the Draft Body of Principles to the 37th General Assembly session for further consideration by the Sixth Committee and also to establish an open-ended working group to deal with the Draft Body of Principles "with a view to its adoption by the General Assembly." On December 10 the General Assembly adopted this draft decision by consensus. (Decision 36/426.)

ASSISTANCE IN INTERNATIONAL LAW

At the General Assembly's 36th session, consideration of the item, as it has been in the past, was allocated to the Sixth Committee. The

Sixth Committee had before it the report of the Secretary General, which was introduced by the UN Legal Counsel on December 1.

The UN's program of assistance relating to international law was created in 1965 by the General Assembly in resolution 2099 (XX) and has been maintained through annual resolutions of the General Assembly until 1971 and biennial resolutions thereafter. The aforementioned report by the Secretary General is the latest in a series concerning implementation of the program and recommendations for the future. In particular the Secretary General reported on the UN's activities in the field of international law, such as provision of advisory services of experts, provision of publications, cooperation with other international organizations, the Geneva international law seminars, UNCITRAL, and the UNITAR fellowship program in international law. UNESCO activities also were reported.

Following consultations with the Advisory Committee on the Program of Assistance, the Secretary General submitted recommendations to continue the activities listed above and to provide for the administrative and financial implications of doing so.

On December 2 Ghana introduced a draft resolution on this item which was cosponsored by Cyprus, Egypt, the Netherlands, and Sierra Leone. A revised version was issued on December 3, with the Bahamas, Madagascar, Somalia, and Upper Volta as additional cosponsors. On December 4 this revised text was approved by consensus in the Sixth Committee and, on December 10 was adopted, also by consensus, in the General Assembly. (Resolution 36/108.)

The resolution, *inter alia*, authorized the Secretary General to carry out in 1982 and 1983 the activities specified in his report, expressed its appreciation to UNESCO and UNITAR for their activities in support of the Program of Assistance, noted with appreciation the contributions to the field of international law made by the Hague Academy of International Law, urged all governments to encourage inclusion of international law courses in programs of legal studies at institutions of higher learning, requested member states to make voluntary contributions for financing the Program of Assistance, and requested the Secretary General to report on implementation of the Program to the 38th session of the General Assembly.

INTERNATIONAL TERRORISM

The item entitled "Measures to prevent international terrorism which endangers innocent human lives or jeopardizes fundamental freedoms, and study of the underlying cause of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical

changes" was again before the Assembly after a 1-year hiatus. The Sixth Committee considered the item at seven meetings between December 1 and 4.

This item was, in the U.S. view, fatally misdirected from the start by its title and has been a forum for substantial disagreement between those who wish to adopt measures against terrorism on the one hand and those who, on the other hand, insist on the need to qualify any such measures by exceptions for so-called liberation movements, those who wish to focus first on the causes of terrorism and those who wish to focus on so-called state terrorism. Consequently it has not been and is not likely to become a basis for substantial progress on measures to combat terrorism as discrete items dealing with particular aspects of the problem.

It was nevertheless a welcome development on December 4 when Yugoslavia introduced a draft resolution that formed the basis for resolution 36/109, approved by consensus in Committee on the same day and adopted in the plenary Assembly on December 10, also by consensus. The resolution supported the agreed recommendations of the *Ad Hoc* Committee on International Terrorism. It did not include any of those paragraphs giving implicit or explicit support to violence which had been present in drafts at previous sessions of the Assembly, and which previously had prevented consensus.

Speaking in Committee Mr. Rosenstock hailed the consensus adoption of a resolution on this item for the first time in its history as a sign that "the international community was as united in 1981 calling for practical measures to eliminate terrorism as it had been in the case of the adoption of the 1973 New York Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, and the International Convention Against the Taking of Hostages."

He pointed out that the United States emphasized the importance of the United Nations coming to grips with the problem posed by terrorism and stress and that the text and context of the item left no room for doubt that acts by individuals and groups were covered and not state conduct. Mr. Rosenstock stated that his delegation had made it clear that it found no inconsistency between supporting the right of self-determination and the need to take measures against the scourge of international terrorism. He noted that neither such support nor the right of self-defense of states as contained in Article 51 of the Charter meant that there were not "acts so barbarous, so anti-social that nothing can justify them."

Budget, Administration, and Institutional Management

The work of the General Assembly's Administrative and Budgetary Committee (Fifth Committee) is related to the work of all other main UN committees. It deals with organization-wide administrative problems, such as conference scheduling, personnel issues, and the coordination of activities among various UN organizations. Before the General Assembly votes on any resolution having financial implications, the Fifth Committee must provide information on how the resolution, if adopted, will affect the UN budget. In its most important role, the Fifth Committee makes recommendations to the General Assembly on the regular program budget and on assessed peacekeeping budgets.

Several special UN bodies—some consisting of experts serving in their personal capacities and some of an intergovernmental nature—assist in this work. In financial matters the best known of the expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The ACABQ examines the Secretary General's proposals and reports to the General Assembly on the UN budget and UN accounts; on administrative budgets of UN specialized agencies; and on other administrative, financial, and budgetary matters referred to it. The Committee on Contributions advises the General Assembly on all questions relating to the apportionment of UN expenses among UN members. Other expert financial bodies are the Board of Auditors, Investments Committee, and UN Joint Staff Pension Board.

The International Civil Service Commission (ICSC), composed of experts in the administrative field, makes recommendations to the General Assembly for the regulation and coordination of conditions of service within the United Nations, the specialized agencies, and other international organizations that participate in the UN common system. The Committee on Conferences is an important intergovernmental, administrative body which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

A senior executive committee, an intergovernmental body, and an expert group have responsibilities ranging broadly across the work of

the whole UN system of organizations. The Administrative Committee on Coordination (ACC)—composed of the UN Secretary General and executive heads of the specialized agencies, the IAEA, and other major bodies and programs—meets regularly to supervise the implementation of agreements between the United Nations and specialized agencies and to coordinate activities of the various organizations. The Committee for Program and Coordination (CPC), an intergovernmental body, serves as the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination. The Joint Inspection Unit (JIU), a group of experts, is empowered to investigate and evaluate any matter bearing on efficiency of services and proper use of funds.

This report describes the activities of these major bodies.

UN FINANCIAL MATTERS

UN Financial Situation

The short-term deficit of the United Nations continues to increase. As of December 11, 1981, the estimated net deficit was \$274,800,000, an increase of more than \$36 million since December 30, 1980. Most of this deficit was caused by certain member states such as the U.S.S.R.; China; and, to a lesser extent, a number of other contributors that withhold all or part of their assessments for peacekeeping operations. Also, the three Soviet members (U.S.S.R., Byelorussian S.S.R., and Ukrainian S.S.R.), Bulgaria, and the German Democratic Republic submit their portion of the UN regular budget for technical assistance in nonconvertible national currencies. The UN accepts such payments only to the extent that it needs the specific currency.

In 1980 the United States joined the withholding nations as a consequence of a provision of the Department of State's fiscal year 1980 authorization bill (Public Law 96-60), which forbade payment to the United Nations of that portion of the U.S. assessed share—25% of the amount budgeted by the United Nations—for the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Special Unit on Palestinian Rights. The amount withheld in 1981 was \$228,550.

In past years the United Nations has created several committees to study the deficit. In 1975 the General Assembly established a Negotiating Committee on the Financial Emergency of the United Nations. The Committee failed to reach a consensus and reported to the 31st General Assembly that the deficit situation remained serious but that no solution was in sight. Consideration of the report

has been deferred at each subsequent session. At its 35th session in 1980, the Assembly did adopt a resolution that authorized an increase in the sale of commemorative postage stamps; part of the proceeds of the sale would be used to slow deficit growth. At the 36th session in 1981, the Assembly took two significant steps regarding the financial emergency.

ARREARAGES OF THE PEOPLE'S REPUBLIC OF CHINA

After admission to the United Nations in 1972, the People's Republic of China (PRC) refused to pay its assessments for peacekeeping operations and some minor regular budget items. Until 1979 the PRC did not submit national income data on which an accurate assessment rate could be based, allowing itself to be assessed at a higher rate than such data would have justified, and the peacekeeping arrearages thus grew rapidly. However, based on the national income statistics submitted by the PRC in 1979, the 34th General Assembly reduced the PRC's assessment from 5.5% to 1.62%. As a result, the PRC's withholdings at the former rate of assessment became a more significant portion of its current assessment thereby making it potentially subject to the provisions of Article 19 of the UN Charter. Article 19 provides that any nation "shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

For these reasons the PRC was vulnerable to a loss of its right to vote in the General Assembly in early 1982. To avoid this Pakistan introduced a draft resolution that would place all of China's arrearages for UN peacekeeping (\$55 million, about 92% of total PRC arrearages) in a "special account" and decide that the question of the applicability of Article 19 would not be raised with respect to these arrearages. Under the resolution the Assembly also welcomed the understanding that from January 1, 1982, China would contribute its share of assessed expenses for UNDOF and UNIFIL. The draft resolution was approved in the Fifth Committee on December 1 by a vote of 94 (U.S.) to 12, with 2 abstentions and adopted by the General Assembly on December 10 by a vote of 113 (U.S.) to 13, with no abstentions. (Resolution 36/116 A.) The U.S. Representative, speaking in the Fifth Committee, stated that the United States welcomed China's announced intention to accept its future financial responsibilities and pointed out that this arrangement was unique and not to be construed as an alteration of the principle of collective financial responsibility. This settlement, coupled with a dramatic reduction in China's assessment rate in 1980, means that the PRC will not be troubled by this issue in the near future.

WORKING CAPITAL FUND LEVEL

As a partial response to the continuing fiscal problems of the United Nations, the General Assembly, acting on the recommendation of the Fifth Committee, adopted a resolution on December 10 that raised the level of the Working Capital Fund from \$40 million (to which it was last raised in 1962) to \$100 million. The United Nations uses the Fund to meet shortfalls between payment of its expenses and receipt of income—often delayed—from member states' annual assessments. The United States, other major donor countries, and the Soviet Union and its allies opposed such a large increase but were heavily outvoted, 103 to 23 (U.S.), with 5 abstentions. (Resolution 36/116 B.)

The U.S.S.R. opposed the increase by claiming that the UN's financial emergency was attributable to "illegal" expenditures associated with peacekeeping operations; the United States and other major donors opposed the increase because the U.S.S.R. and its allies, by withholding legitimate assessments, were responsible for the cash deficits which necessitated the Working Capital Fund and which had exhausted the Fund at its previous levels.

UN Budget

On December 18, 1981, by a recorded vote of 120 to 15 (U.S.), with 6 abstentions, the General Assembly approved a 1982–83 UN Expenditure Budget recommended by the Fifth Committee of \$1,506,241,800. (Resolution 36/240.) This amount includes funds for the addition of 209 positions, bringing the 1982–83 level of established positions to 11,578.

The Assembly also approved, by a vote of 120 to 16 (U.S.), with 4 abstentions, a supplemental increase of \$2,553,100, which raised the final expenditure budget for 1980–81 to \$1,341,704,300. Accordingly, the amount initially appropriated for the 1982–83 biennium exceeded the final 1980–81 budget by 12.26% or \$164,537,500. (Resolution 36/234.)

The increase of the 1982–83 appropriation over the 1980–81 budget is attributable primarily to the following: inflation and currency increases, restoration of the program base caused by inflation during 1980–81, and program growth.

Major components of the program increase include \$19,688,600 for construction, alterations, improvements, and major maintenance of premises (primarily for UN building construction in Nairobi, Kenya); \$9,900,000 to service additional meetings for 1982; and \$6,899,300 for Arabic Language Services under the Conference and Library Section of the UN Regular Budget.

For the first time in UN history, the United States voted against a regular budget appropriation in both the Fifth Committee and

General Assembly. The United States position was predicated on several factors, chief among which was the sheer magnitude of the budget. The United States also believed that the budget contained items that constituted improper expenses, such as meetings financed through the regular budget that preclude attendance by some member states, assistance to national liberation movements, and expenses for the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Special Unit on Palestinian Rights. The United States also expressed dissatisfaction with the failure of the Secretariat to submit in a timely manner the Secretary General's report dealing with completed, obsolete, marginal, and ineffective programs. If the report had been available at the beginning of the session, it could have been considered in an organized and reasonable fashion, and true savings could have been realized.

In explaining the U.S. position before the final vote on December 18 in Fifth Committee, the U.S. Representative, Mrs. Virginia Housholder, stated: "The United States and the American people are more than willing to support thrifty policies and responsible management in the United Nations and other intergovernmental organizations in which we participate. We will, however, neither condone nor excuse waste, excess, and disregard for the mounting financial burdens imposed upon the taxpayers of the world by self-serving public institutions." She went on to say that "There must be a change . . . in the attitudes and the instincts which have overtaken both the Secretariat and the Fifth Committee in the management of the United Nations and in the financing of its programs." The United States, she said, had warned repeatedly against extravagances, urged economy upon the Secretariat, and had called for prudent management and thrift in providing resources. The United States did not welcome having to vote against a regular budget appropriation but considered ". . . it imperative for the future of this organization"

Audit Reports

At the General Assembly's 36th session, the Fifth Committee considered the Board of Auditors 1980 reports on six voluntarily funded UN programs: UNDP, UNICEF, UNRWA, UNITAR, UNHCR, and the UN Fund for Population Activities.

The Board of Auditors had carefully examined the measures adopted by the organizations in response to its 1979 report recommendations. In the majority of cases the Auditors found that these recommendations had been taken into account. However, the Board did find that UNICEF should expedite review of the procedures for hiring consultants and experts, a problem which the Board had considered in its relevant 1979 report. In addition, the Board felt that

decisions should be taken to strengthen the internal audit coverage of the UNHCR office.

In a statement before the Fifth Committee on October 5, the U.S. Representative, Theodore Papendorp, endorsed the work of the Board of Auditors as essential to ensuring the effective use of UN resources.

Mr. Papendorp noted that the projected 1981 deficit for UNITAR was \$312,000 and that its 1980 budget appeared to have been approved without regard to available resources. He expressed concern about certain steep increases detailed by the audit in the financial statements for the year ended December 31, 1980: Salary payments increased one-third between 1979 and 1980; travel costs rose 38% between 1978 and 1980; and hospitality costs registered a sharp increase of almost 118% between 1978 and 1980.

Although the audit report on UNRWA showed an improvement in cash management, Mr. Papendorp was concerned that a significant amount of cash remained in accounts bearing only nominal interest rates. He called for continued support for appropriate safeguards and control procedures to avoid any significant future commodities losses.

Mr. Papendorp concurred with the Board of Auditors that the UNDP should intensify efforts to exchange its non-convertible currencies for readily usable currencies and that the governments concerned should play a role in resolving the problem.

The U.S. delegate endorsed the Board's recommendation in its 1979 report on the UNHCR that the office should strengthen its internal audit coverage. While Mr. Papendorp did not question U.S. support for the important work of the High Commissioner; however, he did express disappointment that no progress had been made in relation to the audit before the Board prepared its 1980 report.

The U.S. delegate also noted the Board's concern over UNICEF's overproduction of greeting cards and suggested that the continuing pattern of substantial overproduction be corrected.

On November 30, the General Assembly adopted, without a vote, a resolution accepting the financial reports and accounts and reports of the Board of Auditors. (Resolution 36/65.)

Financing of Assessed Peacekeeping Operations

On November 30 the General Assembly, on the recommendation of the Fifth Committee, adopted a resolution by a vote of 93 (U.S.) to 3, with 17 abstentions, on the financing of the United Nations Disengagement Observer Force (UNDOF), which operates between Israeli and Syrian units in the Golan area. The resolution appropriated the following amount for UNDOF: \$14,959,248 for the period June 1 to November 30, 1981, and \$15,974,000 for the period December 1, 1981

through May 31, 1982. The resolution authorized the Secretary General to enter into commitments for UNDOF at a rate not to exceed \$2,662,333 per month from June 1 to November 30, 1982, should the Security Council decide to continue the Force beyond the 6 months authorized under its resolution 493 (1981) of November 23, 1981. (Resolution 36/66 A.)

On December 16, 1981, the General Assembly, on the recommendation of the Fifth Committee, adopted by a non-recorded vote of 98 (U.S.) to 16, with 3 abstentions, a resolution appropriating the following amounts for the United Nations Interim Force in Lebanon (UNIFIL): \$73,083,000 for the period December 19, 1980, to June 18, 1981, and the same amount for the period June 19, 1981, to December 18, 1981. The resolution also authorized the Secretary General to enter into commitments at a rate not to exceed \$13,316,666 per month for the period December 19, 1981, through December 18, 1982, should the Security Council decide to continue the force beyond the 6 months authorized under its resolution 488 (1981) of June 19, 1981. (Resolution 36/138 A.)

In a December 14 statement before the Fifth Committee, the U.S. Representative, Mr. Papendorp, stated that UN peacekeeping operations went to the heart and purpose of the United Nations and provided the means for maintaining peace while long-term solutions were negotiated. He called attention to the financial emergency of the UN peacekeeping operations, pointing out that nonpayment of assessed contributions was of immediate concern, because it threatened the participation of some troop-contributing countries. He therefore appealed to those member states in arrears in their contributions to make their payments.

The financing resolutions for UNIFIL and UNDOF reaffirmed the principle of the special responsibility of the permanent members of the Security Council to maintain international peace and security and implicitly endorsed the collective responsibility of the entire membership of the organization for meeting peacekeeping costs.

Scales of Assessments

The Fifth Committee of the 36th General Assembly considered a draft resolution entitled "Scale of assessments for the apportionment of expenses of the United Nations." The resolution called for the Committee on Contributions to submit to the General Assembly at its 37th session a thorough study on alternative methods to assess the real capacity of member states to pay. Pending fulfillment of the resolution directives by the Committee on Contributions, the following criteria would be observed:

- (1) the statistical base period would be extended to 10 years;
- (2) the upper limit of the low per capita income allowance formula would be raised from \$1,800 to \$2,100 and the

gradient of the relief granted would be raised from 75% to 85%;

- (3) efforts should be made to limit the increase of individual rates of assessments to a reasonable level; and
- (4) individual rates of assessment for the least developed countries should not in any way exceed the present level (0.01%).

The Fifth Committee approved the resolution on December 10 by a vote of 79 to 19 (U.S.), with no abstentions, and the Assembly adopted the resolution in plenary session on December 18 by a vote of 118 to 22 (U.S.), with no abstentions. (Resolution 36/231 A.)

The United States expressed strong disapproval of extending the base period to 10 years. Such an extension tends to benefit those countries whose economies are growing rapidly, thus distorting the real capacity to pay. For this reason the United States could not support the resolution. No direct challenge was made against the 25% ceiling applied to the U.S. contribution.

The General Assembly fixes the rates of assessments for UN members on the basis of recommendations of the Committee on Contributions.¹ Specialized agencies determine their own assessment rates, and in many cases these rates follow the UN scale.

The following represents the U.S. share of assessed budgets of the United Nations, the specialized agencies, and the IAEA for 1981 and 1982:

| | 1981 Percent | 1982 Percent |
|-------------------|-----------------|-----------------|
| UN | 25.00 | 25.00 |
| FAO | 25.00 | 25.00 |
| ICAO | 25.00 | 25.00 |
| ILO | 25.00 | 25.00 |
| IMCO | 4.45 | 5.00 |
| ITU | 7.03 | 7.00 |
| UNESCO | 25.00 | 25.00 |
| UPU | 4.76 | 4.72 |
| WHO | 25.00 | 25.00 |
| WIPO ² | 7.93 | 7.63 |
| WMO | 24.59 | 24.59 |
| IAEA | 25.75 | 25.81 |

² Average U.S. assessment to the overall WIPO budget.

¹ The Committee is an expert body appointed by the General Assembly for 3-year terms. Mr. Richard V. Hennes of the United States was a member during 1981.

INSTITUTIONAL MATTERS

Committee for Program and Coordination

In 1976 the General Assembly decided that the 21-member Committee for Program and Coordination (CPC)³ should be the main subsidiary organ of both ECOSOC and the General Assembly for planning, programming, and coordination. As a major component of its work, the Committee reviews the draft program budget and the draft medium-term plan.

The CPC held its 21st session in New York in two parts: May 4–29 and June 8–9, 1981. The split session resulted from the inability of the Secretariat to provide the Committee with a draft of the CPC final report in all working languages in time for its adoption before the scheduled completion of the session on May 29. The major items on the CPC agenda were: (1) cross-organizational reviews of UN system activities, (2) reports of the Administrative Committee on Coordination (ACC), and (3) the proposed program budget for 1982–83.

CROSS-ORGANIZATIONAL PROGRAM ANALYSIS

The Committee considered its agenda item on Cross Organizational Program Analysis (COPA) from May 4 to May 6. In particular the Committee reviewed a COPA on youth activities. Further the CPC considered a paper on the feasibility of undertaking a COPA on marine affairs.

The Committee established methodologies for future cross-organizational program analyses. The CPC recommended that: (1) the challenge or main problems as defined by legislative mandates should be set out; (2) programs aimed at overcoming these problems should be described and analyzed critically in relation to mandates; and (3) cross-organizational program analysis should identify gaps, duplication, and effectiveness of existing coordination arrangements.

On May 29 the Committee considered ACC reports. Among these reports the 1980–81 annual ACC overview report covered various activities of the specialized agencies and other UN organizations, and a note by the Secretariat on the question of an alternative to CORE, an inter-organizational common register of development activities. The discussion of the Committee focused on: (1) rural development, (2) coordination of information systems, and (3) enhancement of crisis management in the field.

³ Members in 1981 were Argentina, Belgium, Brazil, Cameroon, Costa Rica, France, India, Japan, Morocco, Norway, Pakistan, Philippines, Romania, Senegal, Sudan, Tanzania, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, and Yugoslavia.

INTER-ORGANIZATIONAL BOARD FOR INFORMATION SYSTEMS

The United States was interested especially in discussions on the program for coordination of information systems. According to the U.S. position the coordination of information systems within the UN system should be strengthened and the ACC decision 1981/3 adopted April 14 should be reversed. That decision would abolish the Board for Information Systems (IOB) Secretariat, and merely retain IOB as a clearinghouse and forum for the exchange of experience, but without operational functions. In addition the ACC decision would have made the implementation of CORE impossible.

The Committee decided to urge the ACC to ensure that the Inter-Organizational Board for Information Systems could fulfill the role envisaged for it by ECOSOC in 1974, which instructed UN agencies to be more forthcoming in support of information exchange and to implement the recommendations for strengthening the IOB made by the JIU in its 1978 report. The Committee requested the ACC to submit to ECOSOC the measures the ACC advocated for enhancing the effectiveness of the coordination of information systems among the organs, organizations, and programs of the UN system.

In its resolution 1981/63 ECOSOC recalled 1978 JIU report recommendations for strengthening the IOB; endorsed the CPC recommendation that the ACC should review its decision 1981/3; affirmed that timely and accurate information on activities, resources, results, and findings of the UN system enables governments to participate more effectively in program planning and evaluation; requested the Secretary General to submit a report to ECOSOC at its first regular session of 1982 on methods of enhancing the effectiveness of the coordination of the information systems in the UN system; requested the ACC to include a detailed proposal for ensuring the cost-effective compatibility of computerized information systems; and requested the Secretary General, as Chairman of the ACC, to engage a team of experts to study and report on the matter.

The resolution was directed primarily at the IOB, which had been established to ensure the compatibility of computerized information systems and the use of common vocabularies among UN organizations. The IOB has completed a number of worthwhile projects; however, it also encountered steady opposition from some secretariats that were reluctant to merge their data bases into a closely integrated UN information system.

Mr. Goran Axelsson, Head of the Secretariat for the Data Policy Commission, Swedish Ministry of Budget, and Mr. Mansour Khalid, Chairman of the Committee for Development Policy at the University of Khartoum and former Minister for Foreign Affairs in the Sudanese Government, were appointed to study the matter and

submit their recommendations. As a part of their study, the team will visit selected governments to define as precisely as possible the needs of UN member nations for information and reports from the computerized UN information systems. During April 22-23, 1982, the team of experts will meet with U.S. representatives to discuss U.S. requirements for reports and information from the United Nations and affiliated international organizations.

The United States has pressed consistently for further integration and more effective use of automated UN information systems. Such systems are essential for the management, coordination, and control of the enormous number of programs and activities conducted by the UN family of organizations around the globe. Improvement in the coordination of existing UN information systems is a necessary first step in upgrading the UN's capacity for managing its programs in the most cost-effective manner possible. A more integrated information system would not only facilitate project planning, implementation, and evaluation by the United Nations, but also would have the capability of providing member nations with more pertinent information on the results and impact of UN programs.

PROPOSED PROGRAM BUDGET FOR 1982-83

From May 8 the CPC's time was devoted primarily to the proposed 1982-83 program budget. The CPC reviewed the programmatic aspects of the proposed budget in light of the medium-term plan and monitored compliance with a number of resolutions on budget formulation. In addition the Committee considered the issue of priorities among UN programs in reference to a report by the Secretary General on criteria and methodology in determining priorities among the major programs of the medium-term plan and a JIU report on establishing priorities and identifying obsolete UN activities.

The United States has a strong interest in the discussions on priority setting. The United States supports actions that will continue to improve the UN ability to identify marginally effective and obsolete activities and will establish a method to generate criteria on which the United Nations can compare programs for potential funding.

The CPC extensively used the JIU report on priority setting to analyze the present UN system and to develop recommendations on improving methods for establishing priorities in the United Nations.

During its July 1981 session, ECOSOC, in decision 1981/180, endorsed the recommendations made in the CPC 1981 report.

The Fifth Committee of the 36th General Assembly also considered the CPC findings and recommendations during its discussions of the agenda item on program planning. Between October 30 and Novem-

ber 10, 1981, the Fifth Committee held seven meetings on program planning, emphasizing priority setting and evaluation.

As a result of the Fifth Committee discussions, an omnibus resolution to strengthen the system of priority setting was introduced on December 8 by Cameroon, and also sponsored by Algeria, Ghana, Ethiopia, India, Indonesia, Morocco, Romania, and Yugoslavia. The United States supported the resolution, which the General Assembly adopted without a vote on December 18, 1981. (Resolution 36/228 A.)

Among its more important provisions, the resolution: (1) requested the Secretary General to present to the 37th session of the General Assembly proposals enabling it to adopt official rules and regulations governing program planning, programming aspects of the budget, monitoring of implementation, and evaluation methods; (2) urged that the monitoring of the implementation of program commitments be entrusted to a central unit within the Secretariat; (3) recommended that organizations should increase the effectiveness of their evaluation system and take the necessary steps to implement the recommendations contained in the JIU reports; (4) requested the Secretary General to improve UN evaluation services in accordance with the recommendations of the JIU reports; (5) decided that priority in the program budget should be based on implementation of the budget, detailed program evaluation reports, and recommendations of competent intergovernmental bodies; (6) affirmed that the establishment of an order of priority should apply to all substantive activities of the Organization and to common services and serve as a guide for the allocation of all its budgetary and extrabudgetary resources; (7) specified that the order of priority be based on the importance of the objective to member states, the Organization's capacity to achieve it, and the real effectiveness and usefulness of the results; (8) reaffirmed the need to integrate the identification of activities that are completed, obsolete, of marginal usefulness, or ineffective in the general process of planning, programming, budgeting, evaluation, and management; and (9) requested the Secretary General to continue to provide to the General Assembly a list of activities considered obsolete, of marginal usefulness, or ineffective, in order to facilitate decisionmaking.

A second resolution stemming from the program planning discussions pertained explicitly to evaluation. (See JIU section below.)

Joint Inspection Unit

During 1981 the Joint Inspection Unit (JIU) continued its program of independent studies, evaluations, and inspections on various facets of the UN system of organizations.

The 11 inspectors⁴ are accorded the broadest powers of investigation in all matters that affect efficiency of services and proper use of

⁴ Appointed by the General Assembly to serve in a personal capacity for 5-year terms. Earl D. Sohm of the United States is an Inspector.

funds. They are authorized to provide an independent view through inspection and evaluation to improve management and methods and to achieve greater coordination between organizations.

In 1981 the World Intellectual Property Organization's General Assembly unanimously agreed to adhere to the JIU Statute beginning January 1, 1982.⁵

During 1981 the JIU completed 12 reports. The studies covered issues on public information coordination, the role of the Director General for Development and International Economic Cooperation (see section on Restructuring), personnel and staffing practices (see p. 365), building construction procedures, application of the Mar del Plata Action Plan on water development and administration, evaluation matters, a system to set program priorities, the UN University, and management services in the UN system.

The United States was pleased that most of the 1981 JIU reports addressed management issues. As a result, the 1981 JIU reports should benefit the development of a more effective and efficient UN system. On December 18, the General Assembly adopted by consensus a decision recommended by the Fifth Committee. (Decision 36/454.) The decision should help strengthen the JIU's ability to contribute to the effective operation of the UN system. A particularly significant paragraph in the decision requests the Secretary General, starting January 1, 1982, to include in his comments which recommendations he believes should or should not be implemented. This requirement will better focus inter-governmental review of the reports and expedite future implementation of JIU recommendations.

Other JIU reports which served as the basis of UN resolutions during the 36th General Assembly were the JIU report on priority setting (see section on Committee for Program Coordination) and two reports on evaluation, "Status of Internal Evaluation in UN System Organizations" and "Second Report on Evaluation in the UN System." These reports were the basis of discussion on evaluation in nine meetings of the Fifth Committee from October 30 to December 8 during consideration of program planning. The first report contained summaries on structure, progress, operations, and results to date of evaluation efforts in 23 organizations and recommendations for improving evaluation in specific organizations.

In the second report the JIU focused on systemwide evaluation developments, patterns, and problems and progress in establishing internal evaluation systems. This report indicated that evaluation activities exist in the system on a wider scale than ever before. While considerable progress has been made, much remains to be done to

⁵ Its present Statute was approved in 1976 by General Assembly resolution 31/192. The participating organizations of the JIU are the UN and its affiliated bodies, FAO, ICAO, ILO, IMCO, ITU, UNESCO, UPU, WHO, WIPO, WMO, and IAEA.

ensure that the new or improved internal evaluation systems are firmly established and will actually be used to assess results and improve programs. More importantly, evaluation, having been generally successful through its first stage of introduction and development in the UN system, must now enter a second critical stage of widespread implementation.

The United States has had a strong interest in developing an effective evaluation mechanism within the United Nations, and therefore endorsed enthusiastically the two JIU reports on the status of evaluation programs to improve the present UN evaluation system. On December 8, 1981, the United States introduced a draft resolution, calling for specific action by the Secretary General based on recommendations in the JIU's "Second Report on Evaluation in the United Nations System."

The resolution was approved unanimously in the Fifth Committee on the same day and adopted by the Plenary Assembly on December 18. (Resolution 36/228 B.) The resolution requested the Secretary General to strengthen the evaluation process by (1) specifying the responsibilities and tasks of the UN evaluation units; (2) preparing for the General Assembly precise evaluation plans linked to the medium-term planning process and the budget cycle; (3) developing guidelines for the planning and design of programs and projects to make them more susceptible to evaluation; (4) designing and issuing basic standards for the conduct, content, and process of evaluation and ensuring that the quality of the evaluation products continually is assessed; and (5) taking appropriate measures to ensure that evaluation findings are promptly and systematically used in the management decisionmaking process and that followup evaluation findings and recommendations are carried out. The Secretary General was requested to report on his implementation of these actions through the CPC to the Assembly at its 38th session (1983).

Restructuring

ECONOMIC AND SOCIAL SECTORS

In 1977 the General Assembly adopted a comprehensive resolution, 32/197, to improve the structure and performance of the United Nations and UN organizations with respect to economic and social activities. Each year since then the Assembly has sought to monitor some aspect of the implementation of the recommendations of that resolution.

In 1981 the aspects expected to be considered were strengthening the role of the Director General for Development and International Economic Cooperation, decentralizing activities to the regional commissions, and revitalizing ECOSOC. The most important document

before the Committee was a report by the JIU on "Relations between the Director General for Development and International Economic Cooperation and Entities of the United Nations Secretariat." It provided a number of concrete and practical recommendations, which the United States endorsed, including a detailed clarification and specification of the authority of the Director General that could strengthen his position if adopted. In comments issued late in the General Assembly session, the Secretary General endorsed most of the JIU report recommendations.

However, because of an overloaded agenda, the Second Committee spent virtually no time discussing restructuring. The item was considered along with others under the larger question of "Development and International Economic Cooperation" at seven meetings between October 13 and November 6. Only nine states spoke.

On December 10 the Committee approved without vote a resolution that merely marked time and decided to consider restructuring at the 37th Assembly. In the meantime ECOSOC was asked to consider the documents relating to the Director General, and the CPC was requested to provide further comments on the implications of restructuring for the regional commissions. The General Assembly adopted the resolution without a vote on December 17. (Resolution 36/187.)

On December 7 the Assembly again decided without a vote, to defer action on a far-reaching draft resolution proposed by Argentina and Jamaica that would have, *inter alia*, (1) proposed an amendment to the UN Charter enlarging ECOSOC to universal membership and (2) abolished various functional commissions and committees. (A version of this draft was first proposed by the two sponsors in 1979.) ECOSOC was requested to consider the draft resolution in the context of its deliberations on revitalizing the Council and to make recommendations to the Assembly in 1982. (Decision 36/445.)

ADMINISTRATION, FINANCE, AND PERSONNEL AREAS

The 35th General Assembly in 1980 decided to establish a 17-member Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance, and Personnel Areas (Committee of 17). The primary reason for the Committee was the belief of many states that the present structure did not provide adequately for the implementation of various General Assembly resolutions on personnel policy by the Office of Personnel Services. The Committee also was requested to review the question of using the term "Controller," taking into account the various functions of financial management and control in the United Nations.

Committee membership was not determined until September 1981.⁶ The Committee held organizational meetings on September 14 and 16 and substantive meetings between October 12 and November 5.

During the course of the Committee's meetings, complex issues emerged concerning: (1) the capacity of the structure to promote overall policy coherence and clear lines of authority and responsibility within the organization; (2) the adequacy of the structure to undertake in an integrated way the implementation of personnel reforms and recruitment policies; (3) the role of the Executive Office of the Secretary General in relation to administrative, finance, and personnel areas; (4) the capacity of the structure to achieve a proper balance between administrative decentralization and central control and coordination; (5) the role of the Director General for Development and International Economic Cooperation in relation to the present functions and structure of administrative, finance, and personnel areas; (6) the adequacy of the structure to undertake in an integrated way the program planning function in relation to preparation of the program budget and allocation of resources; and (7) development of effective management tools based on modern information systems to enhance the effectiveness of administrative, finance, and personnel areas through a review of the roles of the Administrative Management Service and the Electronic Data Processing and Information System Division.

Time constraints prevented the Committee from performing the detailed examination that some members believed these issues required. However, the United States and a few others considered that the Committee's report provided an adequate basis for the Secretary General, who was ultimately responsible for determining the organization of the Department of Administration, Finance, and Management.

The Fifth Committee considered the report of the Committee of 17 at five meetings between December 3 and 16. On December 16 it approved by consensus a draft resolution proposed by the chairman of the Fifth Committee after consultations with other states (including the United States). The draft resolution requested the Committee of 17 to continue its work, taking into account the relevant JIU reports,⁷ as well as the Secretary General's comments on them, and

⁶ The authorizing resolution (35/211) provided for the Secretary General to appoint the experts "through consultations with regional groups and with due regard to equitable geographical distribution." Experts were chosen from Benin, Brazil, China, Colombia, France, Federal Republic of Germany, India, Japan, Norway, Pakistan, Poland, Sudan, Trinidad and Tobago, U.S.S.R., United States, Zaire, and Zambia. The U.S. expert was Winthrop M. Southworth.

⁷ "Relationships between the Director General for Development and International Economic Cooperation and Entities of the United Nations Secretariat" (see p. 352); "Methods of Determining Staff Requirements;" "Setting of Priorities and the Identification of Obsolete Activities in the United Nations" (see section on CPC, p. 346); and "Management Services of the United Nations System."

to submit a final report to the 37th Assembly. The Secretary General was requested to consult with the Committee of 17 before its next session on the questions outlined in the Committee's report (the seven issues listed previously), and to submit to the 37th Assembly his views on the Committee's final report.

After the resolution was approved, the U.S. Representative reiterated that extension of the Committee's mandate was unnecessary. Nevertheless, because the majority of member states obviously believed otherwise, he reaffirmed that the United States would continue to participate in the Committee's work.

The resolution was adopted by the plenary Assembly on December 18 without a vote. (Resolution 36/238.)

UN ADMINISTRATIVE MATTERS

Committee on Conferences

The Committee on Conferences⁸ met 12 times between January 30 and September 18, 1981, and considered recommendations for increasing efficiency in the delivery of conference services; control and limitation of documentation; coordination of conferences within the UN system; and the proposed calendar of conferences for 1982-83.

With regard to conferences the Committee endorsed the idea that the production capacity of Secretariat documentation services should be taken into account when scheduling future conferences. The Committee also supported the reduction of meetings of UN organs through shortened sessions or adoption of a biennial operations cycle. The Committee recommended that the General Assembly call on ECOSOC to review all proposals for conferences made during sessions of that body. The Committee also recommended the extension of the moratorium on establishment of new subsidiary bodies of the General Assembly, to the end of 1982, and reiterated its longstanding request to the Secretary General to prepare a manual for secretaries of UN organs to assist them in conference planning and management.

On the subject of conference documentation, the Committee recommended that the General Assembly authorize the Committee, as a priority project, to undertake a comprehensive study of the current rationale which governs the provision of meeting records — identifying criteria for the selection of organs that should receive records—and to examine the potential offered by new technology. The Committee also endorsed definite standards for documentation, such as a 32-page limit on documentation prepared for intergovern-

⁸ Members for 1981-83 were Algeria, Austria, Chile, Cyprus, France, Federal Republic of Germany, Honduras, Hungary, Indonesia, Japan, Kenya, Mexico, New Zealand, Nigeria, Peru, Senegal, Sri Lanka, Tunisia, U.S.S.R., United Kingdom, United States, and Yugoslavia.

mental meetings and procedural rules to speed up flow or reduce the amount of documentation.

The number and quality of recommendations from the Committee on Conferences during 1981 reflected the Committee's considerable attention to procedural matters and regulations throughout the year. All of these recommendations were included in the resolution recommended to the General Assembly for consideration, which was the most comprehensive package of proposals and suggested improvements that the Committee has produced. When the Fifth Committee was considering the draft resolution, Mr. Papendorp noted this and assured the Committee of continued U.S. support for its work. However, he also urged the Committee in forceful terms to grasp the magnitude of the problems resulting from the steady upward trend in the number of meetings, written and spoken words, and demands for documentation. He asked rhetorically how much more time could be demanded of national delegations for meeting and reading. He also called for improved accounting of the total cost of conference servicing, suggesting that the Department of Conference Services could make available to interested delegations a detailed cost analysis of each UN conference or meeting after that meeting had been completed. Such data currently is not available to delegations, and decisions on approval or disapproval of proposed conferences are made only on estimates provided by the Secretary General. Mr. Papendorp also reiterated strong U.S. disapproval of the use of UN facilities and resources to support limited access meetings in the UN system; i.e., meetings from which some member states are excluded.

On December 4, the draft resolution was approved in the Fifth Committee and adopted by the Assembly on December 10, in both cases, without a vote. (Resolution 36/117.)

UN Accommodations

Several important actions taken by the 36th General Assembly concerned UN facilities.

UN BUILDINGS AT NAIROBI

Construction of permanent headquarters facilities for the UN Environment Program (UNEP), with accommodations for the other UN offices at Nairobi, was first authorized by the 32nd General Assembly in 1977. The Secretary General was instructed to act in accordance with the observations and recommendations of the Advisory Committee and to report annually on the status of the project. The 34th General Assembly reaffirmed the request for the annual report and authorized a study of the organization, financing,

and management of the common services that were to be established in the UN Center at Nairobi in order to ensure maximum sharing of those services.

A construction contract was to have been awarded in 1980. However, when bids from prequalified firms were opened, UNEP management decided not to accept any of them, predicated the action on the decision of the UNEP Executive Director that the original project design was too large and could be reduced without compromising UNEP's needs. Many believed that a key factor in management's decision was pressure by some member states against awarding the contract to the low bidder, a Kenyan subsidiary of an Israeli-owned construction firm. Through high-level demarches and in writing, the United States made it clear that failure to observe UN contract rules and regulations could affect the payment of U.S. annual voluntary contributions to UNEP.

On December 17, 1980, the General Assembly in its resolution 35/222 approved proposals by the UNEP Executive Director for a more economic alternative for the accommodations of the United Nations at Nairobi; and decided to proceed with the proposals of 1977 and with adjustments to catering, library, and documentation facilities within appropriations approved by the Assembly in 1979. It also requested the Secretary General to proceed at once with the construction, and to submit a progress report to the 36th General Assembly and on an annual basis thereafter.

The U.S. Delegate expressed the very firm desire of the United States that all contracts be awarded by competitive bidding open to all qualified bidders and that all future costs of the UNEP facility—to be financed by the UN budget—would be kept within the limit set by the 34th General Assembly.

At the 36th General Assembly annual reports were submitted on the status of the Headquarters construction project and also negotiations for the establishment of common services in the UN Center.

The report on the construction project stated that as of November 1981 a new round of bidding had been initiated, and an award would be made early in 1982. Because of inflation in Kenya during the last 2 years, the report warned that the low bid for the project might exceed the ceiling of 254,944,000 Kenyan schillings which was imposed by the 35th General Assembly. Therefore, the report requested that the Secretary General be given permission to initiate construction and defer until the 37th General Assembly any portions of the project that would cause it to exceed the schilling ceiling.

The ACABQ report recommended that \$19,135,800 be appropriated for the project for 1982–83. This would fully fund the balance of the \$27,078,200 project cost estimated by the Secretary General (of which \$7,942,400 already has been appropriated under the program budgets for 1978–79 and 1980–81). Because the U.S. dollar gained in

value against the shilling during 1979–80 a much larger sum actually would be available for the project. The ACABQ recommended that the Secretary General be empowered to enter into commitments, with the prior concurrence of the Advisory Committee, in excess of the appropriations, provided that the total cost of the project in U.S. dollars remains within the dollar equivalent of 254,944,000 Kenyan shillings at the time the General Assembly specified that amount as the limit of the cost of the project. The ACABQ recommended against the Secretary General's proposal to delay certain aspects of the project if the tender amount was much higher than expected.

The report of the Secretary General on common services noted that agreement on shared administrative services has been reached regarding housekeeping arrangements, but negotiations are continuing on sharing more complex administrative services. Final staffing and budgetary aspects will not be required until the 1984–85 program budget because of construction delays in the UNEP headquarters project. The ACABQ was critical of the delays in negotiating these agreements, but acknowledged the remaining long lead-in time.

On December 8 the Fifth Committee approved by consensus the recommendations of the ACABQ regarding the construction project, and recommended that the General Assembly take note of the Secretary General's report and relevant paragraphs of the ACABQ report on common services for the UN Center at Nairobi. When the recommendations were considered in the plenary Assembly on December 18, separate votes were taken on each as a part of the resolution on questions relating to the proposed program budget for 1982–83. The first was adopted by a recorded vote of 130 (U.S.) to 9, with no abstentions. (Resolution 36/235, Section IX.) The second was adopted by consensus. (Resolution 36/235, Section X.)

VIENNA INTERNATIONAL CENTER

At the 36th UN General Assembly on November 2, the Fifth Committee reviewed an agreement that had been signed in December 1980 between the Austrian government, as proprietor of the Vienna International Center, and the IAEA as representative for all UN agencies resident in the Center. This agreement had been endorsed in January 1981 by Under Secretary General for Administration, Finance, and Management Debatin. It dealt with several aspects of housekeeping at the Center, the most important of which was the creation of a list of interior furnishings which were to be considered "major items" for repair and replacement purposes. The ACABQ had requested that the Fifth Committee bring to the attention of the General Assembly several aspects of the agreements and Debatin's endorsement of them. Specifically, the ACABQ was

critical of certain provisions for the establishment and maintenance of a common fund for financing major repairs and replacements at the Center, and the manner in which the fund will be administered. The establishment of this common fund had been called for in the original lease for occupancy of the Center, but had been delayed by lack of agreement as to what items of interior furnishings were to be defined as "major items," and thus replaced, in most cases, at Austrian expense.

Also, the ACABQ was concerned because it felt that Under Secretary General Debatin had not followed the recommendation of the 35th General Assembly that the ACABQ be permitted to review, prior to signature, the contract for repairs and replacements in the Vienna International Center. This request reflected the ACABQ's desire to ensure that all possible efforts were being made to contain the operating costs of the Center.

In response Assistant Secretary General for Financial Services Reudas stated that, regarding the fact the agreements had been signed before the ACABQ or the Fifth Committee had an opportunity to comment on them, the Secretary General was under pressure from the Austrian government and the IAEA and had little choice but to sign them when he did. The signing of the agreements, however, did not mean that the General Assembly could not choose to reject them and the associated financial implications. If the General Assembly decided to reject the agreements, negotiations would have to be reopened. Ruedas added that the agreements would be subject to renegotiation, in any case, when UNIDO became a specialized agency.

On November 11 the Fifth Committee recommended that the General Assembly take note of the agreements referred to in the ACABQ report, endorse the observations and understandings put forth by the Advisory Committee with respect to those agreements, and take into account the assurances of the Secretary General on various concerns expressed by the ACABQ. On December 18 the plenary Assembly adopted without a vote a resolution which embodied all of the recommendations of the Fifth Committee. (Resolution 36/236.)

UN BUILDING AT SANTIAGO

At the 35th General Assembly, by virtue of resolution 35/217, Section XV, the Secretary General was authorized to undertake an architectural and engineering study, including detailed cost estimates for the expansion of the present UN headquarters facility at Santiago, Chile.

No request was imposed for a report to the 36th General Assembly. Also, because the study had not been completed, the Secretariat

decided to postpone presentation of the preliminary plans and cost estimates until the 37th General Assembly in 1982.

CONFERENCE FACILITIES AT ADDIS ABABA

On November 11 Benin introduced in the Second Committee a draft resolution eventually sponsored by 40 countries. The resolution noted, *inter alia*, the increase in the number of independent African states and the heavy responsibilities entrusted to the Economic Commission for Africa as the main center for the promotion of the economic development of Africa. Therefore, the resolution requested the Secretary General to study as a matter of urgency the adequacy of the conference facilities at the Commission headquarters to meet the demands of the Commission's enlarged membership, and to report his findings, including the financial implications, through the 17th ECA session and the second regular session of ECOSOC in 1982 to the 37th General Assembly. The General Assembly adopted the resolution without a vote on December 17. (Resolution 36/176.)

International Civil Service Commission

The 15-member International Civil Service Commission (ICSC)⁹ held two sessions in New York in 1981, its 13th, February 23–March 13 and its 14th, July 6–31. Some of the ICSC's most important activities in 1981 related to (1) general service salaries, (2) the continuing study of the highest paid national civil service, (3) incentives for hardship posts, and (4) a special index for pensioners.

The Fifth Committee of the 36th General Assembly considered the ICSC report at 8 meetings between November 6 and December 17. In addition, as appropriate, it considered the ICSC report in conjunction with other agenda items on the program budget, the work of the Joint Inspection Unit, and personnel questions.

GENERAL SERVICE SALARIES

Unlike the professional level pay scales, general service and other local salaries are set separately in each locality according to the "best prevailing" wage rates.

During 1981 the ICSC carried out a local salary survey in Vienna and recommended new pay scales for general service employees

⁹ The ICSC is responsible for making recommendations on salaries, allowances, other benefits, and conditions of service for secretariat personnel to those organizations that participate in the UN common system of salaries and allowances. ICSC members are appointed in their personal capacity as individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management. Ersä H. Poston, Vice Chairman of the U.S. Merit Systems Protection Board, completed a 4-year term in 1981.

averaging an increase of 3.3% and one for manual workers averaging 4.7%.

A serious problem arose early in 1981 when the ILO unilaterally granted a 3% increase to the majority of its general service employees (those recruited before 1979). The salaries of those employees as well as similar (pre-1978) employees in the other Geneva-based organizations had been frozen until such time as the cost of living caught up, after the ICSC found in 1977 that they were about 17% above the best prevailing local wage. When the affected staff in the other organizations sought a comparable raise, the executive heads of the organizations with staff in Geneva (UN, WHO, WMO, ITU, GATT, WIPO) reluctantly decided to follow the ILO lead, citing the "abnormal situation of unequal net remuneration between similar groups of general service staff." The executive heads also said they would call the situation to the attention of the ICSC and their respective governing bodies.

The ICSC discussed the situation at its 14th session, and concluded that the decision of the six executive heads to bring the matter to the Commission's attention reflected the importance that they attached to maintaining a unified salary system for the benefit of the common system. The Commission noted, however, the result of the raise was to undermine the very concept of "best prevailing conditions," which was the basis of the original recommendations that the agencies previously had accepted.

The United States had opposed the raise when it was brought before the ILO, and it continued to oppose the extension of the raise to the other organizations. When the issue was brought before the Fifth Committee, the United States on December 3 introduced a draft resolution that (1) requested the Secretary General to reconsider his intention to grant the 3% raise, and (2) decided not to approve the related expenditures for 1981, 1982, and 1983. The resolution was approved on December 9 and adopted by the General Assembly in plenary session on December 18, both times without vote. (Resolution 36/235, Section XI.)

STUDY OF THE HIGHEST PAID NATIONAL CIVIL SERVICE

The Noblemaire Principle, developed under the League of Nations and subsequently adopted by the United Nations, states in effect that because salaries among international organization secretariat personnel should not differ on the basis of nationality, the conditions of service of the international staff must be such as to attract citizens of the country with the highest pay levels.

The U.S. Federal Civil Service has always been the comparator for determining the salaries of the UN common system staff in the professional and higher categories. Because doubts continue to be

expressed, however, about whether the United States is in fact still the highest paid national civil service, the ICSC in 1981 undertook a pilot study comparing the civil services of the United States and the Federal Republic of Germany. The ICSC's preliminary findings revealed that "there was no evidence to suggest at the present time that the U.S. Federal Civil Service should be replaced as the comparator." Some representatives of organizations and staff unions, however, expressed doubts about the methodology used—particularly in view of a similar study by the World Bank and IMF which had different findings—and the study is continuing.

INCENTIVES FOR HARDSHIP POSTS

UN agencies with personnel assigned to areas in which living conditions are classified as "difficult" or "very difficult" have held for some time that staff effectiveness was being threatened by these conditions and that the incentives for serving in such areas were inadequate. In 1980 the ICSC proposed certain improvements, including more frequent home leave and educational travel. In addition the ICSC authorized in 1981 an increased assignment allowance for staff members in the professional and higher categories serving at designated stations. The additional grant is \$2,400 a year for a staff member accompanied by a dependent spouse or child and \$1,200 for an unaccompanied staff member.

SPECIAL INDEX FOR PENSIONERS

At the request of the 35th General Assembly and in cooperation with the Joint Staff Pension Board, the ICSC began work in 1981 on the development of a special index that will provide different pensions for UN common system retirees depending on residence after retirement. The index is to take into account, *inter alia*, varying rates of taxation as well as cost of living. Both bodies found the subject far too complex to complete within the year, however, and work is continuing. The United States continues to believe that pensions should be based on contributions to the pension fund, with choice of residence determined by income.

OMNIBUS RESOLUTION

On December 17 the Fifth Committee approved without objection an omnibus resolution sponsored by Australia, Barbados, Belgium, and the United Kingdom on the ICSC report. Although not a sponsor of the resolution, the United States participated in its drafting and succeeded in preventing the inclusion of elements it found undesirable, such as the proposed studies of expatriate benefits and of the

possibility of extending the education grant to all internationally recruited staff. The resolution subsequently was adopted by the General Assembly, also without vote, on December 18. (Resolution 36/233.)

The resolution, *inter alia*, urged all organizations to implement the decisions and to act positively on ICSC recommendations; supported ICSC efforts to promote uniform and coordinated action in the common system; regretted the ILO decision on the Geneva general service salaries; and reaffirmed the importance of the application of common salary scales.

The resolution requested the ICSC to give "high priority" to the completion of its studies on (1) broad principles for determining conditions of service with particular reference to concepts of career, types of appointment, career development, and related questions, taking into account relevant JIU reports; (2) improvement of the comparison of total compensation between the comparator civil service and the international civil service; (3) the purposes and operation of the post adjustment system; and (4) elaboration of a special index for pensioners, in collaboration with the UN Joint Staff Pension Board.

The resolution also requested the ICSC to undertake or continue studies on (1) general principles and methodology for surveys to determine the conditions of service of locally recruited staff; (2) dependency allowances for all categories of staff and a review of the scope and purpose of the education grant; (3) development of inter-agency cooperation in the field of training with a view to the more efficient use of personnel resources in the common system; (4) a thorough evaluation, in close collaboration with the organizations, of the utility of current and proposed training activities in the UN system, with special reference to management and related training; (5) a general review of staff assessment for the equitable treatment of all staff; and (6) a comprehensive study of the questions of supplementary payments to international civil servants and all related matters.

REPATRIATION GRANT

On U.S. initiative the 34th General Assembly, by its resolution 34/165, terminated, as of January 1, 1980, payment of repatriation grants to former staff members who did not produce evidence of settlement outside their last duty station. In 1981 this decision was challenged by a staff member on the basis of "acquired rights," and the issue was considered by the UN Administrative Tribunal and subsequently submitted to the International Court of Justice (see Part 4, p. 313).

APPOINTMENT TO THE ICSC

The ICSC Statute provides that Commission members are appointed by the General Assembly from a list of candidates prepared by the UN Secretary General in his capacity as Chairman of the ACC, after extensive consultations with member states, the participating specialized agencies and other organizations in the UN common system, staff representatives, and the ACABQ.

In 1981 the United States, the United Kingdom, France, the Federal Republic of Germany, and Finland all put forward candidates for the three seats allocated to the Western European and Other Group that were becoming vacant at the end of the year. In the course of the consultations called for by the Statute, the Secretary General narrowed the list to three—France, the United Kingdom, and the United States—which he submitted to the Fifth Committee.

On December 16 the Fifth Committee, on the initiative of representatives of Finland and the Federal Republic of Germany, decided not to take action on the slate as proposed by the Secretary General but to add the Finn and German to the list and hold an election. Despite the advice of the UN Legal Counsel that such an election would be in violation of the procedures set down by the ICSC Statute, the Fifth Committee took this decision by a vote of 78 to 8 (Bulgaria, Byelorussian S.S.R., Canada, France, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States) with 16 abstentions (Barbados, Belgium, Central African Republic, Czechoslovakia, German Democratic Republic, Ghana, Greece, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Portugal, Trinidad and Tobago, Turkey).

Mr. Papendorp asked whether the decision just taken by the Committee could be held to apply to the other organizations participating in the ICSC. The representative from the Office of the Legal Counsel said that in so far as the ICSC Statute had been established by a resolution of the General Assembly, the Assembly was entitled to interpret it as it saw fit. However, in so far as the Statute represented a compact between the United Nations and other participating organizations, the decision just taken was not necessarily binding on the other organizations involved. If they had differing opinions they presumably would inform the Secretary General through the ACC.

In the election by secret ballot that followed, the Finn and German defeated the U.S. and U.K. candidates.

The FAO (during the Fifth Committee consideration) and WHO, ILO, and UNESCO (by telegram) objected strongly to the Committee's action because, by disregarding the role of the specialized agencies in the nomination process, it constituted a unilateral modification of the relationship of the ICSC to the other independent organizations of the UN system.

When the Fifth Committee action came before the plenary Assembly on December 18, France proposed deferring action until the scheduled resumed session. The Representatives of Australia, Canada, and the Netherlands spoke in favor of the proposal; the Representatives of Peru, Spain, Libya, and Venezuela spoke against it. The French proposal was then defeated by a vote of 43 (U.S.) to 48, with 42 abstentions.

The United States then proposed that the Secretary General draw up a new list of candidates. This proposal also was defeated by a recorded vote of 35 (U.S.) to 46, with 49 abstentions.¹⁰

The Assembly then approved the recommendations of the Fifth Committee by a recorded vote of 105 to 6 (Australia, Canada, Netherlands, New Zealand, United Kingdom, United States) with 25 abstentions. (Decision 36/324.)

Personnel Questions

During 23 meetings between November 9 and December 15, the Fifth Committee discussed various personnel questions along with related reports of the International Civil Service Commission and the Joint Inspection Unit. The most important topic and the only one on which a resolution was adopted, concerned respect for the privileges and immunities of the staff of international organizations. The Committee had before it a short report by the Secretary General, called for by the 35th Assembly, which outlined briefly cases in which the functional immunity of various international civil servants had been violated by arrest, detention, travel restrictions, and the like.

On December 1 the Netherlands introduced a draft resolution, ultimately cosponsored by 16 states, designed to bring pressure to bear on states that violate the privileges and immunities of UN staff and to keep the issue before the General Assembly by an annual

¹⁰ Those in favor: Antigua and Barbuda, Australia, Austria, Barbados, Belgium, Byelorussian S.S.R., Canada, Colombia, Dominican Republic, El Salvador, France, Guatemala, Israel, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Morocco, Netherlands, New Zealand, Niger, Papua New Guinea, Philippines, Portugal, Senegal, Singapore, Solomon Islands, Togo, Trinidad and Tobago, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States.

Those opposed: Afghanistan, Albania, Algeria, Angola, Benin, Brazil, Cuba, Denmark, Ethiopia, Finland, Federal Republic of Germany, Ghana, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jordan, Kuwait, Laos, Lesotho, Libya, Madagascar, Mali, Mexico, Mozambique, Nicaragua, Norway, Oman, Peru, Sao Tome and Principe, Seychelles, Sierra Leone, Spain, Sri Lanka, Sweden, Syria, Tanzania, Uganda, United Arab Emirates, Venezuela, Vietnam, Yemen (Aden), Zambia.

Those abstaining: Argentina, Bahamas, Bahrain, Bhutan, Bolivia, Bulgaria, Burma, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Congo, Costa Rica, Czechoslovakia, Ecuador, Egypt, Fiji, Gabon, Gambia, German Democratic Republic, Greece, Guinea-Bissau, Honduras, Hungary, Jamaica, Kenya, Malawi, Malaysia, Mauritania, Mauritius, Mongolia, Nepal, Nigeria, Pakistan, Panama, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Suriname, Thailand, Tunisia, Upper Volta, Yemen (San'a), Yugoslavia, Zaire.

report from the Secretary General. A number of amendments were introduced by the German Democratic Republic, U.S.S.R., Ethiopia, and Bulgaria that would have changed totally the intent of the draft by emphasizing only the responsibilities of the staff themselves to respect the laws of the host country and by removing the requirement for any further report.

The Netherlands draft was refined somewhat through consultations and the acceptance of several amendments proposed by Jordan. On December 11 in a long series of recorded votes, all the major proposed amendments were defeated, and the 16-power draft resolution was adopted by a recorded vote of 78 (U.S.) to 0, with 27 abstentions. The resolution subsequently was adopted by the plenary Assembly on December 18 by a recorded vote of 117 (U.S.) to 0, with 17 abstentions. (Resolution 36/232.)

In the resolution's final form the General Assembly (1) appealed to any member state that had placed an international organization staff member under arrest or detention to enable the Secretary General or executive head of the agency concerned to visit the staff member, apprise him of the grounds for his arrest or detention, and assist in arranging legal counsel, and to recognize the functional immunity of the staff member asserted by the Secretary General or appropriate executive head; (2) requested the Secretary General and other executive heads to ensure that staff observe the obligations incumbent on them; and (3) requested the Secretary General to submit, on behalf of the Administrative Committee on Coordination, "an updated and comprehensive annual report to the General Assembly at each regular session relating to cases in which the Secretary General or the competent executive head has not been able to exercise fully his responsibility in respect of the protection of staff members" in accordance with the multilateral conventions and applicable bilateral agreements with the host country.

The United States strongly supported the resolution as an indication of its commitment to the objective of functional privileges and immunities for international civil servants.

In other meetings the Committee discussed two JIU reports and one ICSC report that took different approaches to the problem of the composition of the Secretariat. The first, JIU report "Application of the Principle of Equitable Geographical Distribution of the Staff of the United Nations Secretariat," urged greater use of fixed, short-term appointments of Secretariat staff and greater use of secondment from national governments. The second, JIU report "Personnel Policy Options: Report on the Career Concept, Career Development, and Types of Appointment Requested of the JIU by General Assembly resolution 35/210," couched in terms of policy choices to be made, proposed more permanent staff and a well constructed and rational career development program. The ICSC report outlined actions it has

taken in the past regarding concepts of careers, types of appointment, career development, and related questions. Neither of the latter two reports made any direct substantive recommendations because there had been insufficient time for consultations with the organizations and staff groups concerned.

The General Assembly took no action on any of the reports, merely noting them and deciding to continue its discussion at the 37th General Assembly in 1982. (Decision 36/457.)

UN Pension System

The UN Joint Staff Pension Board (JSPB) held its 29th session in Geneva in June–July 1981.¹¹ The principal items considered were the elaboration of a special index for pensioners (which the Board is developing in cooperation with the ICSC), the actuarial valuation of the Fund, investments of the Fund, and various problems connected with the administration of the Fund, such as determining the requirements for proof of residence and supplementary measures for pensioners of advanced age.

The Fifth Committee considered the report of the JSPB together with associated reports by the Secretary General, the ACABQ, and the ICSC at seven meetings between October 30 and November 23. Of major concern was the increasing actuarial imbalance of the Fund, which had grown from \$121 million as of December 1978 to \$722 million as of December 1980.

Speaking in the Fifth Committee on November 4, the U.S. Representative, Bruce Caputo, described a broad array of possibilities for correcting the imbalance. These included increasing the statutory retirement age; eliminating the pension adjustment system whereby those in higher cost areas received higher pensions; eliminating the liberalization of pension benefits for early retirement; eliminating the increase of 1% per year for the pensioner's 31st to 35th year of service; eliminating the one-third lump sum withdrawal benefit; increasing the contribution rate of staff members from the present 7% to 7.7 or 8% and of governments, from the present 14% to 14.5 or 15%; recruiting younger staff; eliminating refunds to governments of half their contributions for individuals who leave the service before completing 5 years; discontinuing frequent periodic adjustments in benefits based on increases in the consumer price index; and eliminating of "double dipping," whereby pensioners may

¹¹ The Joint Staff Pension Fund was established in 1949 to provide retirement, death, disability, and related benefits for staff upon cessation of their services with the UN. Fourteen organizations now participate in the Fund, which is administered by the 21-member JSPB, 7 of whom are chosen by the General Assembly and the corresponding legislative bodies of the organizations, 7 by the executive heads, and 7 by the participants. Sol Kuttner (United States) is a member of the Board representing the UN General Assembly. His 3-year term began January 1, 1980.

be hired on full salary while drawing full pensions. Affirming that the United States would prefer solutions that did not involve cutting benefits or increasing contributions, he noted the consulting actuary's statement that increasing the retirement age to 65 would eliminate the imbalance. He therefore proposed a draft resolution requesting the JSPB and ICSC to consider the changes in the rules and regulations of the participating organizations necessary to raise the compulsory retirement age. A number of other drafts attacking different aspects of the problem also were proposed, including one by the U.S.S.R. requesting a study comparing UN system pensions with those of the national civil services in each of the headquarters cities and one by Belgium requesting a study on the financial implications to the Fund of the nonparticipation of various categories of employees.

The Committee eventually approved without a vote a draft resolution sponsored by Egypt that consolidated all the proposals and requested the JSPB, in cooperation with the ICSC where necessary, to consider all the courses of action that might be taken and to report to the 37th General Assembly. The Assembly adopted the resolution, without a vote, on December 10. (Resolution 36/118 B.)

On November 4 the United States introduced another draft resolution, also sponsored by Belgium and Kenya, designed to protect dependent spouses. The United States was concerned at the serious financial problems estranged or former spouses might face because the Pension Fund rules have no provision ensuring that an annuitant must comply with his legal responsibility in this regard. In introducing the draft the U.S. Representative noted that the U.S. Civil Service provided for such individuals under Federal legislation, which allowed for the garnishment of an annuitant's pension. The draft resolution, which was approved without vote in both committee and the plenary Assembly, requested the JSPB to study the desirability and feasibility of measures to deal with such situations and to make appropriate recommendations to the 37th General Assembly. (Resolution 36/118 C.)

On December 10 the Assembly also adopted three resolutions concerned with the investments of the Pension Fund. All were similar to resolutions adopted in previous years, and all were adopted without vote in both committee and plenary Assembly. The first, sponsored by 10 Western European states, endorsed the policy of diversification of the Fund's investments in developing countries, "wherever this serves the interests of the participants and beneficiaries, in accordance with the four criteria of safety, profitability, liquidity, and convertibility." The second, sponsored by 18 African and Latin American states, requested the Secretary General to continue his consultations with members of the OAU and African financial institutions with a view to improving the level of invest-

ments in African states. The third, sponsored by nine Latin American and African states, requested the Secretary General to continue and accelerate his efforts to diversify the investments of the Fund and to ensure that the resources which the Fund holds invested in shares of transnational corporations shall be reinvested in developing countries to the greatest extent practicable, subject to observance of the criteria of safety, profitability, liquidity, and convertibility, and in conformity with the regulations of the Fund. (Resolutions 36/119 A-C.)

Employment of Americans

The number of professional employees serving in posts subject to geographic distribution in the United Nations and its special programs totaled 7,167 at the end of 1981. (At the end of 1980 the number was 6,819.) The number of U.S. nationals was 1,009 (14.07%) in 1981, compared with 882 (12.93%) in 1980.

During 1981 the number of Americans in professional posts subject to geographic distribution in the UN Secretariat increased from 503 to 508, but the percentage of Americans in these posts decreased from 19.79% to 17.32%. The total number of women professionals in posts subject to geographic distribution in the UN Secretariat in 1981 was 630; 182 (28.88%) were American.

In the specialized agencies the percentage of Americans increased slightly in ILO, ITU, WHO, and IAEA; remained the same in UPU; and declined slightly in FAO, UNESCO, WIPO, and WMO. For the most part the changes were minimal, representing the gain or loss of one or two percentage points or less.

The number of technical assistance experts employed by the United Nations and the specialized agencies increased from 9,282 at the end of 1980 to 13,479 at the end of 1981. The number of American technical assistance experts increased from 640 to 1,294, or from 6.89% to 9.60%.

In terms of Americans in senior posts, the following appointments were made: William M. Kerrigan, Secretary General of the World Assembly on Aging; George F. Saddler, Assistant Director General for General Administration in UNESCO; and William R. Smyser, United Nations Deputy High Commissioner for Refugees.

Appendix 1

Address by Secretary Haig Before the 36th Regular Session of the UN General Assembly

A New Era of Growth

Statement before the 36th session of the UN General Assembly on September 21, 1981.

The United Nations—this parliament of man—offers us a unique opportunity to examine the human condition. We are each called upon to declare our national purposes. And we are all obligated to address those problems that obstruct the vision of the charter.

Let us begin with the vision. The Charter of the United Nations reflects cherished dreams of a world distinguished by peaceful change and the resolution of international disputes without resort to force. The United States believes in these dreams. They offer the best chance of justice and progress for all mankind. They promise a world hospitable to the values of our own society including a certain idea of man as a creative and responsible individual, democracy, and the rule of law.

The ideals of the United Nations are, therefore, also American ideals. The charter embodies American principles. It will always be a major objective of our statecraft to make of the United Nations an instrument of peace.

We all know that the realization of our dreams cannot depend on hope alone. Obstacles to progress must be overcome through united efforts. The threats to peace are many, suspicions persist, and the price for inaction is great. Truly we face a difficult agenda.

As I make these comments, I am reminded that an observer once said of this annual debate: "Every year . . . a great and sacred orator . . . preaches before the assembly of nations a solemn sermon on the text of the charter." Today, however, I would like to focus instead on an issue of compelling interest: international development.

International development reflects the worldwide search for economic progress, social justice, and human dignity. Short of war itself, no other issue before us will affect more people, for good or ill, than this search. And peace itself cannot be truly secured if the aspirations of mankind for a better life are frustrated.

Development is, therefore, an enduring issue. It has pre-occupied the United Nations from the beginning. It will survive the agenda of this assembly and every assembly far into the future. And although great progress has been made, we face today a crucial choice of strategy that will dramatically affect the prospects for future success.

A Choice for the 1980s

Since the Second World War, the progress of development has been uneven but nonetheless widespread. Enormous economic growth has been registered. For example, in the last three decades, average incomes have actually doubled. There have also been great advances in health. Life expectancy has increased dramatically even in the poorest countries and infant mortality has been reduced.

This experience, however, has not been fully shared by all countries and the prospect for the future is now clouded by recent trends. The pattern of increasing economic growth, critical for development, has been slowed by inflation, high energy prices, severe balance-of-payments problems, heavy debt, and slower growth of markets. Political turmoil and instability have diverted precious resources into arms and conflict. The necessary synthesis between traditional values and modernization, never easy to achieve, has grown more difficult under the impact of accelerating change.

Let us dispense with illusions. We must choose today between two futures: a future of sustainable growth, an expansion of world trade, and a reduction of poverty or a future of economic stagnation, rising protectionism, and the spread of poverty. As the World Bank has put it: "By the end of the century, the difference between the two cases amounts to some 220 million absolutely poor people."

Clearly, our task is to give fresh impetus to development by devising now a new strategy for growth. Such a strategy begins by recognizing the highly complex and difficult situation we face.

- The poorest developing countries require long-term and generous concessional aid from developed and other developing countries to raise productivity through broadly based education and training, improvements in health and nutrition, and better infrastructure.

They also need sound economic policies, particularly in the agricultural sector. Ultimately, the objective must be to involve them in the international economic system, thereby strengthening opportunities and incentives for self-sustaining growth.

- The middle tier of developing countries have made significant progress. Nevertheless, they still suffer from widespread poverty. They are also acutely vulnerable to any economic downturn—especially volatile commodity markets—because of their narrow range of exports. These countries need foreign capital and assistance in developing the experience and credit worthiness to borrow on international capital markets. Technical support and manpower training are important to insure that their populations are productive and competitive. They also need an open international trading system to encourage export development.

- The more advanced of the developing countries are able to maintain living standards and economic performance comparable to what some of today's industrial countries achieved less than a generation ago. Their further development can be sustained best by a strong international economy with an open capital and trading system. They must be able to pursue national policies that take advantage of international opportunities and foster domestic adjustment. These countries also play a key role in helping poorer nations, both directly and as policy models.

- The capital-surplus, oil-exporting countries need a stable and prosperous international market for their oil exports and a favorable environment in which to invest their financial assets and to develop their domestic economies. The international system must continue to evolve to reflect the growing importance of these countries, as they assume increasing responsibility for the management of that system and for assisting poorer nations.

- Finally, the industrial countries are suffering from low rates of growth and

high rates of inflation. They are trying to increase savings and investment in order to create employment, improve the environment, eliminate pockets of poverty, and adjust to the changing competitiveness of their exports. They must sell more abroad to pay for the increased cost of imported energy.

In a slowly growing world, these complex and diverse requirements would become potent sources of conflict. But the struggle for the world product can be avoided. The international economy can help all countries to achieve their objectives through a strategy of growth which creates the resources and the employment needed for progress. And this cannot be the task of any single nation.

As the report of the distinguished commission on international development issues, chaired by Willy Brandt, points out: "Above all, the achievement of economic growth in one country depends increasingly on the performance of others."

Principles for a Strategy of Growth

It is on this view of a differentiated and interdependent world that we must build a new strategy for growth. But our strategy must also be informed by the lessons of the past. Such lessons, extracted from hard experience, offer the basis for principles to guide us through these austere times.

First, development is facilitated by an open international trading system. Developed and developing countries together face the challenge of strengthening the GATT (General Agreement on Tariffs and Trade) and the international trading system to create mutual export opportunities.

Today the trading system is under enormous stress—rising protectionist pressures, new and subtle types of import barriers, restrictive bilateral arrangements, export subsidies, and investment policies which distort trade.

These are especially troublesome in a period of slow growth. Unless they are reduced or eliminated, the international trading system will be seriously weakened. Such a setback to the world economy would inflict the most suffering on the developing countries.

The industrialized countries have a special responsibility to work for a more open trading system with improved rules. We also look to the more successful developing countries to play a fuller role in strengthening the trading system. It will be difficult for each of our countries individually to open markets further unless we are committed to doing so collectively.

For our part, the United States has long supported open markets. Despite current complications, America remains a strong advocate of free trade. Although our gross national product is only one-third of the Western industrialized group's total, the United States imports roughly one-half of all manufactured goods exported by developing countries. Earnings of non-OPEC developing countries from exports to the United States amount to \$60 billion—more than double the foreign aid coming from all Western developed countries.

We call upon all members of the international community to join in resisting growth in protectionism. Developing nations must have the greatest possible opportunity to sell their commodities and manufactured product. Let us also work together to achieve a successful conclusion of the multifiber agreement.

A dynamic and successful trading system requires a smoothly functioning international financial system. We must, therefore, continue to work with other countries to encourage their support for the International Monetary Fund and their constructive participation in the Fund's programs to facilitate adjustment. We will continue to cooperate with our developing country colleagues to strengthen the Fund. We share the view that the responsibilities of developing countries should be increased to

keep pace with their growing economic importance.

Second, foreign assistance coupled with sound domestic policy and self-help can facilitate the development process. The United States has long believed in assistance as an effective tool in helping to promote development. Over the last three decades the United States has given more than \$130 billion in concessional assistance. Over the last decade alone, the total has exceeded \$50 billion. In 1980, the American people provided \$7.1 billion, almost twice as much as any other donor.

The United States has also been the major force in the creation and support of the multilateral development banks. The banks represent an important, and to many countries essential, feature in the international financial system. In the last 5 years, the United States has authorized and appropriated an average of \$1.5 billion per year for support of the multilateral banks. There is no question about their value as development institutions. As intermediaries they help to mobilize the resources of international capital markets to lend to developing countries. The banks' loans for key projects are important catalysts for productive domestic and foreign private investment.

We recognize that many of the poorer developing countries must continue to rely heavily on concessional assistance for some time to come. Moreover, certain kinds of vital development programs will not pay the quick and direct financial returns needed to attract private capital. For this reason, a continuing bilateral assistance program and continuing support for the multilateral banks will be essential.

Given today's economic conditions and the limitation on aid budgets in many countries, it is especially important that concessional assistance be utilized as effectively as possible; that it focus on countries which need it most and use it best; and that it be a more effective catalyst for mobilizing other foreign and

domestic resources. We must also recognize that a strategy for growth that depends on a massive increase in the transfer of resources from developed to developing countries is simply unrealistic.

Third, regional cooperation and bilateral consultations can be effective in promoting development. The United States is working with other regional states to promote economic progress in the Caribbean area. We are convinced that the example of the recent multinational cooperation in the case of Jamaica and the broader Caribbean Basin initiative holds promise for other regions.

We are already committed to a close working relationship with ASEAN (Association of South East Asian Nations). We have benefited considerably from a better understanding of ASEAN's views on multilateral issues and ways to strengthen our bilateral commercial ties. The U.S.-ASEAN Business Council is a model of how our private sectors can work together for mutual benefit.

In Africa we look forward to a close working relationship with the Economic Community of West African States, as it attempts to strengthen economic ties within the region. Constructive consultations on trade and investment issues have already occurred. We believe that mutually beneficial cooperation can be strengthened to our common benefit. Similar consultations with the developing countries of southern Africa are desirable. We have a strong interest in the economic health and stability of these nations. Commercial relationships along with foreign assistance will help us to attain that objective.

The United States has also worked with the capital-surplus members of the Organization of Petroleum Exporting Countries on both a bilateral and multilateral basis. We have been able to combine resources to attack development problems on common interest, such as food production. This cooperation should be continued and expanded.

Finally, we plan to make bilateral consultative groups between our govern-

ment and those of developing countries more effective and to give full support to similar private sector arrangements. The U.S. Chamber of Commerce and its counterparts in many developing countries have developed particularly good relationships. We fully support these efforts and those of the private voluntary agencies; we are searching for means to work more closely with them.

In all of these cases, the United States recognizes the need to be sensitive to the diverse character of the societies involved and to the international circumstances in which development must occur.

Fourth, growth for development is best achieved through reliance on incentives for individual economic performance. The individual is the beginning, the key element, and the ultimate beneficiary of the development process. The greatest potential for development lies in the hard work and ingenuity of the farmer, the worker, and the entrepreneur. They need incentives to produce and the opportunity to benefit from their labors.

Suppression of economic incentives ultimately suppresses enthusiasm and invention. And the denial of personal freedom can be as great an obstacle to productivity as the denial of reward for achievement. History cautions against regimes that regiment their people in the name of ideals yet fail to achieve either economic or social progress. Those governments that have been more solicitous of the liberties of their people have also been more successful in securing both freedom and prosperity.

The United States can offer what it knows best from its own experience. We have seen that policies which encourage private initiatives will promote better resource allocation and more rapid economic growth. Within a framework basically hospitable to market incentives, foreign private investment can supplement indigenous investment and contribute significantly to development.

But our goal is not to impose either our economic values or our judgments

on anyone. In the final analysis, each country's path to development will be shaped by its own history, philosophy, and interests.

Fifth, development requires a certain measure of security and political stability. Political security is a major barrier to development. Fear and uncertainty stifle the productivity of the individual. Scarce resources are squandered in conflict. The close relationship between security and development cannot be ignored. We are, therefore, committed to maintain and, where possible, to increase programs essential to deter international aggression and to provide the domestic security necessary to carry out sound economic policies. We have no intention of providing foreign assistance, moral comfort, or the prestige of international political platforms to countries that foster international violence.

The United Nations has a key role to play in resolving conflict and promoting international stability. We welcome the Secretary General's effort to promote intercommunal talks and a just settlement on Cyprus. We support a continuing role by the Secretary General's representative in the Iraq-Iran conflict. And South Korea's attempt to initiate a dialogue with the north epitomizes the search for peaceful settlement that is the heart of the Charter.

One of the greatest dangers to the Charter today and to development itself is the willful violation of the national integrity of both Afghanistan and Kampuchea by the Soviet Union and Vietnam. Their behavior challenges the basic rights of all sovereign states. The World's hopes for peace, for security, and for development will be jeopardized if "might makes right" becomes the law of nations.

The United States will continue to support security and stability as essential to progress. This is the basis of our active and continuing efforts to strengthen and expand the cease-fire in southern Lebanon. We shall also assist

the negotiations specified by resolutions 242 and 338 in order to bring a just and lasting peace to the Middle East. Our policy is to remain a credible and reliable party in the negotiations to bring independence to Namibia on the basis of UN resolution 435 and in a fashion acceptable to both the nations concerned and the international community.

The United States also believes that efforts to control arms, either among regional states or between the superpowers, can make an important contribution to the security that facilitates development. But these efforts do not occur in a vacuum. The international community has tended to overestimate the beneficial effects of the Strategic Arms Limitation Talks in dampening regional conflict. We have also tended to underestimate the impact of such conflict on the negotiations themselves.

The United States is strongly committed to balanced and verifiable arms control. We are equally committed to the peaceful resolution of regional disputes. Clearly, the restraint implied by arms control must become a more widespread phenomenon if such agreements are to survive and to make their proper contribution to a more secure environment for development.

In Pursuit of Growth

The United States is confident that a strategy for growth guided by these principles can succeed. We believe that three areas of action deserve immediate international attention.

First, a global expansion of trade. Plans could be formulated for the 1982 GATT ministerial with the special concerns of growth in mind. A major priority should be to integrate more fully the developing countries into the international trading system on the basis of shared responsibilities and benefits.

Second, an increase in investment. Our common objective should be to stimulate domestic and international private

investment. We must encourage and support the individual investor.

Third, stronger international cooperation in food and energy. The recent UN Conference on New and Renewable Sources of Energy recommended that the developing countries be assisted in assessing their energy resources and determining the best way to exploit them. The UN Development Program and the World Bank have important followup responsibilities. And we must all work to engage more effectively private participation in exploration and production in oil-importing developing nations.

Domestic and international action must also go hand in hand to achieve food security. The United States continues to be the largest donor of food aid and places a paramount emphasis on its bilateral program to help developing countries increase food production. Greater attention should be given to scientific and technological research that will yield more bountiful food supplies.

I have outlined today the broad principles that guide America's approach to new strategy for growth. In the immediate future, and prior to the Cancun summit, we will announce specific proposals to deal with this and other issues of development.

Dialogue for the Future

These broad principles reflect our view that the United States can and will continue to make an essential contribution to the process of development. We do not claim to have all of the answers. But we do believe that our collective responsibilities for the future allow no more time to be lost in sterile debates and unrealistic demands. The time has come for a reasoned dialogue with promise for the future.

The search for economic progress, social justice, and human dignity has always been supported by the American people, themselves an example of suc-

cessful development. Our initiatives and resources, through bilateral programs, the United Nations and other multilateral agencies, have made major contributions to the process of modernization throughout the world. For the United States, support of development constitutes a practical imperative.

At the Ottawa summit the United States reaffirmed its willingness to join its partners in exploring all avenues of consultation and cooperation with developing countries. In October, President Reagan will go to the summit meeting in Cancun, Mexico. He looks forward to a genuine and open exchange of views on questions of economic development and international cooperation. The Cancun summit offers a novel opportunity to gain fresh understanding of

the problems we face together. The United States will join in a constructive and cooperative spirit.

Our objective is to bring about a new era of growth. But the purpose of both growth and development goes beyond materialism. As Winston Churchill said: "Human beings and human societies are not structures that are built, or machines that are forged. They are plants that grow and must be treated as such."

Despite the difficulties of the moment, we should go forward in a spirit of optimism. We have the *vision* bequeathed to us by the charter. We have the *potential* of the peoples represented in this room. Let us go forward together to achieve a new era of growth for *all* mankind.

Appendix 2

Principal Organs of the United Nations

General Assembly

The General Assembly is composed of all 157 members. They are:

| Member | Date of Admission | Member | Date of Admission |
|--------------------------|-------------------|------------------------------|-------------------|
| Afghanistan | Nov. 19, 1946 | Chad | Sept. 20, 1960 |
| Albania | Dec. 14, 1955 | Chile | Oct. 24, 1945 |
| Algeria | Oct. 8, 1962 | *China | Oct. 24, 1945 |
| Angola | Dec. 1, 1976 | Colombia | Nov. 5, 1945 |
| Antigua and Barbuda | Nov. 11, 1981 | Comoros | Nov. 12, 1975 |
| Argentina | Oct. 24, 1945 | Congo | Sept. 20, 1960 |
| Australia | Nov. 1, 1945 | Costa Rica | Nov. 2, 1945 |
| Austria | Dec. 14, 1955 | Cuba | Oct. 24, 1945 |
| Bahamas | Sept. 18, 1973 | Cyprus | Sept. 20, 1960 |
| Bahrain | Sept. 21, 1971 | Czechoslovakia | Oct. 24, 1945 |
| Bangladesh | Sept. 17, 1974 | Denmark | Oct. 24, 1945 |
| Barbados | Dec. 9, 1966 | Djibouti | Sept. 20, 1977 |
| Belgium | Dec. 27, 1945 | Dominica | Dec. 18, 1978 |
| Belize | Sept. 25, 1981 | Dominican Republic | Oct. 24, 1945 |
| Benin | Sept. 20, 1960 | Ecuador | Dec. 21, 1945 |
| Bhutan | Sept. 21, 1971 | Egypt | Oct. 24, 1945 |
| Bolivia | Nov. 14, 1945 | El Salvador | Oct. 24, 1945 |
| Botswana | Oct. 17, 1966 | Equatorial Guinea | Nov. 12, 1968 |
| Brazil | Oct. 24, 1945 | Ethiopia | Nov. 13, 1945 |
| Bulgaria | Dec. 14, 1955 | Fiji | Oct. 13, 1970 |
| Burma | Apr. 19, 1948 | Finland | Dec. 14, 1955 |
| Burundi | Sept. 18, 1962 | France | Oct. 24, 1945 |
| Byelorussian S.S.R. | Oct. 24, 1945 | Gabon | Sept. 20, 1960 |
| Cameroon | Sept. 20, 1960 | Gambia | Sept. 21, 1965 |
| Canada | Nov. 9, 1945 | German Democratic Republic | Sept. 18, 1973 |
| Cape Verde | Sept. 16, 1975 | Germany, Federal Republic of | Sept. 18, 1973 |
| Central African Republic | Sept. 20, 1960 | | |

* By resolution 2758 (XXVI) of October 25, 1971, the General Assembly decided "to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations."

| Member | Date of Admission | Member | Date of Admission |
|------------------|-------------------|-------------------------------------|-------------------|
| Ghana | Mar. 8, 1957 | Paraguay | Oct. 24, 1945 |
| Greece | Oct. 25, 1945 | Peru | Oct. 31, 1945 |
| Grenada | Sept. 17, 1974 | Philippines | Oct. 24, 1945 |
| Guatemala | Nov. 21, 1945 | Poland | Oct. 24, 1945 |
| Guinea | Dec. 12, 1958 | Portugal | Dec. 14, 1955 |
| Guinea-Bissau | Sept. 17, 1974 | Qatar | Sept. 21, 1971 |
| Guyana | Sept. 20, 1966 | Romania | Dec. 14, 1955 |
| Haiti | Oct. 24, 1945 | Rwanda | Sept. 18, 1962 |
| Honduras | Dec. 17, 1945 | Saint Lucia | Sept. 18, 1979 |
| Hungary | Dec. 14, 1955 | Saint Vincent and the Grenadines | Sept. 16, 1980 |
| Iceland | Nov. 19, 1946 | Samoa | Dec. 15, 1976 |
| India | Oct. 30, 1945 | Sao Tome and Principe | Sept. 16, 1975 |
| Indonesia | Sept. 28, 1950 | Saudi Arabia | Oct. 24, 1945 |
| Iran | Oct. 24, 1945 | Senegal | Sept. 28, 1960 |
| Iraq | Dec. 21, 1945 | Seychelles | Sept. 21, 1976 |
| Ireland | Dec. 14, 1955 | Sierra Leone | Sept. 27, 1961 |
| Israel | May 11, 1949 | Singapore | Sept. 21, 1965 |
| Italy | Dec. 14, 1955 | Solomon Islands | Sept. 19, 1978 |
| Ivory Coast | Sept. 20, 1960 | Somalia | Sept. 60, 1960 |
| Jamaica | Sept. 18, 1962 | South Africa | Nov. 7, 1945 |
| Japan | Dec. 18, 1956 | Spain | Dec. 14, 1955 |
| Jordan | Dec. 14, 1955 | Sri Lanka | Dec. 14, 1955 |
| Kampuchea | Dec. 14, 1955 | Sudan | Nov. 12, 1956 |
| Kenya | Dec. 16, 1963 | Suriname | Dec. 4, 1975 |
| Kuwait | May 14, 1963 | Swaziland | Sept. 24, 1968 |
| Laos | Dec. 14, 1955 | Sweden | Nov. 19, 1946 |
| Lebanon | Oct. 24, 1945 | Syria | Oct. 24, 1945 |
| Lesotho | Oct. 17, 1966 | Tanzania | Dec. 14, 1961 |
| Liberia | Nov. 2, 1945 | Thailand | Dec. 16, 1946 |
| Libya | Dec. 14, 1955 | Togo | Sept. 20, 1960 |
| Luxembourg | Oct. 24, 1945 | Trinidad and Tobago | Sept. 18, 1962 |
| Madagascar | Sept. 20, 1960 | Tunisia | Nov. 12, 1956 |
| Malawi | Dec. 1, 1964 | Turkey | Oct. 24, 1945 |
| Malaysia | Sept. 17, 1957 | Uganda | Oct. 25, 1962 |
| Maldives | Sept. 21, 1965 | Ukrainian S.S.R. | Oct. 24, 1945 |
| Mali | Sept. 28, 1960 | U.S.S.R. | Oct. 24, 1945 |
| Malta | Dec. 1, 1964 | United Arab Emirates | Dec. 9, 1971 |
| Mauritania | Oct. 27, 1961 | United Kingdom | Oct. 24, 1945 |
| Mauritius | Apr. 24, 1968 | United States | Oct. 24, 1945 |
| Mexico | Nov. 7, 1945 | Upper Volta | Sept. 20, 1960 |
| Mongolia | Oct. 27, 1961 | Uruguay | Dec. 18, 1945 |
| Morocco | Nov. 12, 1956 | Vanuatu | Sept. 15, 1981 |
| Mozambique | Sept. 16, 1975 | Venezuela | Nov. 15, 1945 |
| Nepal | Dec. 14, 1955 | Vietnam | Sept. 20, 1977 |
| Netherlands | Dec. 10, 1945 | Yemen (Aden) | Dec. 14, 1967 |
| New Zealand | Oct. 24, 1945 | Yemen (Sanaa) | Sept. 30, 1947 |
| Nicaragua | Oct. 24, 1945 | Yugoslavia | Oct. 24, 1945 |
| Niger | Sept. 20, 1960 | Zaire | Sept. 20, 1960 |
| Nigeria | Oct. 7, 1960 | Zambia | Dec. 1, 1964 |
| Norway | Nov. 27, 1945 | Zimbabwe | Aug. 25, 1980 |
| Oman | Oct. 7, 1971 | | |
| Pakistan | Sept. 30, 1947 | | |
| Panama | Nov. 13, 1945 | | |
| Papua New Guinea | Oct. 10, 1975 | | |

The General Assembly held one emergency special session in 1981, the 8th emergency special session (Sept. 3-14), to consider the question of Namibia. It was decided that the officers and chairpersons of the seven main committees and the Credentials Committee should be the same as for the 35th session and that where the chairpersons from the 35th session were not present they would be replaced by a member of their own delegation.

The 36th regular session of the General Assembly convened on Sept. 15 and was suspended on Dec. 18. At the time of suspension, the President announced that the session would be reconvened for the purpose of considering various items remaining on the agenda. The session was resumed twice—during March 16-19 and on March 29—for the purpose of electing one member to the International Court of Justice, and the appointment of Brajesh Chandra Mishra as UN Commissioner for Namibia. It was also decided to suspend temporarily the consideration of UNWRA. The resolution relative to the financing of UNIFIL was also adopted. (Resolution 36/138 C.)

On April 28 the session was resumed again for the purpose of adopting resolution 36/244 relative to the enlargement of the Executive Board of UNICEF.

When the session was again suspended on April 28, the President announced that any further consideration by the General Assembly of items still remaining on the Assembly's agenda, namely the "Question of Cyprus," "Launching of global negotiations on international economic cooperation," and "Financing of UNWRA" would be announced in due time.

The Assembly elected Ismat T. Kittani (Iraq) as President and the Chairpersons of the delegations of Australia, Benin, Botswana, China, Cyprus, France, Indonesia, Morocco, Pakistan, Papua New Guinea, Rwanda, Seychelles, Sweden, Togo, Ukrainian S.S.R., U.S.S.R., United Kingdom, and the United States as the 18 Vice Presidents.

The Chairpersons of the seven main committees, on which each member may be represented, were:

First Committee (Political and Security)—Ignac Golob (Yugoslavia)

Special Political Committee—Nathan Irumba (Uganda)

Second Committee (Economic and Financial)—Leandro I. Verceles (Philippines)

Third Committee (Social, Humanitarian, and Cultural)—Declan O'Donovan (Ireland)

Fourth Committee (Decolonization)—Jasin Yousif Jamal (Qatar)

Fifth Committee (Administrative and Budgetary)—Abdel-Rahman Abdalla (Sudan)

Sixth Committee (Legal)—Juan Jose Calle y Calle (Peru)

SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending Dec. 31 of a year given in the heading.

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1981: German Democratic Republic, Mexico, Niger, Philippines, Tunisia.

1982: Ireland, Japan, Panama, Spain, Uganda.

On Oct. 15, 1981, the Assembly elected Guyana, Jordan, Poland, Togo, and Zaire for terms beginning Jan. 1, 1982.

TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 48th session in New York, May 18–June 12.

ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending Dec. 31 of the year given in the heading.

1981: Algeria, Barbados, Brazil, Cyprus, Ecuador, France, Federal Republic of Germany, German Democratic Republic, Ghana, Indonesia, Ireland, Morocco, Pakistan, Senegal, Spain, Turkey, Venezuela, Zambia.

1982: Australia, Bahamas, Belgium, Bulgaria, Chile, Ethiopia, Iraq, Italy, Jordan, Libya, Malawi, Mexico, Nepal, Nigeria, Thailand, United States, Yugoslavia, Zaire.

1983: Argentina, Bangladesh, Burundi, Byelorussian S.S.R., Canada, China, Denmark, Fiji, India, Kenya, Nicaragua, Norway, Peru, Poland, Sudan, United Republic of Cameroon, U.S.S.R., and the United Kingdom.

On October 15, 1981, the Assembly reelected Brazil, France, Federal Republic of Germany, Pakistan, and Venezuela, and elected Austria, Benin, Colombia, Greece, Japan, Liberia, Mali, Portugal, Qatar, Romania, St. Lucia, Swaziland, and Tunisia for terms beginning on Jan. 1, 1982.

ECOSOC held its organizational session for 1981 (Feb. 3–6) and its first regular session (April 14–May 8) in New York. It held its second regular session in Geneva (July 1–24) and resumed the second session in New York (Oct. 21 and Nov. 25).

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending Feb. 5 of the year given in parentheses. Members are listed in order of precedence below.

On Nov. 15, 1981 elections were held to fill vacancies occurring on the expiration of the terms of office of four members and a vacancy caused by the death of Sir Humphrey Waldock (United Kingdom). On March 19, 1982, at the resumed session, Mohammed Bedjaoui (Algeria) was elected to fill a vacancy caused by the death of Abdullah Ali El-Erian (Egypt).

Nagendra Singh (India) (1991)

Jose Maria Ruda (Argentina) (1991)

Manfred Lach (Poland) (1985)

Taslim Olawale Elias (Nigeria) (1985)

Hermann Mosler (Federal Republic of Germany) (1985)

Shigeru Oda (Japan) (1985)

Platon Dmitrievich Morozov (Soviet Union) (1988)

Roberto Ago (Italy) (1988)
Jose Sette Camara (Brazil) (1988)
Stephen Schwebel (United States) (1988)
Guy Ladreit de Lacharriere (France) (1991)
Robert Y. Jennings (United Kingdom) (1991)
Keba Mbaye (Senegal) (1991)
Abdallah Fikri El-Khani (Syria) (1985)
Mohammed Bedjaoui (Algeria) (1988)

SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On Dec. 15, 1981, the 36th General Assembly appointed Javier Perez de Cuellar (Peru) Secretary General for a 5-year term beginning on Jan. 1, 1982.

Appendix 3

United States Missions

U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, and commissions at the Headquarters; with the 153 other permanent missions accredited to the United Nations; and with various non-member observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of Ambassador, is the U.S. Representative to the United Nations; he or she also represents the United States in the Security Council. He or she is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1981 about 140 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objections in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"—in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal, *inter alia*, with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four specialized agencies which have their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CCD, and the Intergovernmental Committee for European Migration. The

mission also maintains liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of non-governmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1981 about 114 Americans including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 53 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these.

OTHER U.S. MISSIONS

The United States also maintains missions at the headquarters of IAEA in Vienna and UNESCO in Paris and offices of a U.S. Representative at the headquarters of UNIDO in Vienna, FAO in Rome, ICAO in Montreal, and UNEP in Nairobi.

Appendix 4

United States Representatives

Permanent Representative and Chief of Mission to the United Nations: Donald F. McHenry (through Jan. 20). Jeane J. Kirkpatrick (from Jan. 29)

Deputy Permanent Representative to the United Nations: William J. vanden Heuvel (through Jan. 20). Kenneth L. Adelman (from July 30)

Deputy Permanent Representative to the Security Council: Richard W. Petree (through June 1). William C. Sherman (from Aug. 19)

Representative on the Economic and Social Council: Joan E. Spero (through Jan. 20). Jose Sorzano (from June 30)

Alternate Permanent Representative for Special Political Affairs: H. Carl McCall (through Jan 20). Charles M. Lichenstein (from April 2.)

U.S. Representative to the European Office of the United Nations and Other International Organizations: Gerald B. Helman (through Nov. 8). Geoffrey Swaebe (from Nov. 8)

GENERAL ASSEMBLY

8th emergency special session (New York, Sept. 3-14)

Representative: Jeane J. Kirkpatrick

Alternates: Kenneth L. Adelman, Charles M. Lichenstein, William C. Sherman

36th regular session (New York, Sept. 15, 1981-April 28, 1982)

Representatives: Jeane J. Kirkpatrick;¹ Kenneth L. Adelman; Benjamin A. Gilman; Andy Ireland; John Sherman Cooper

Alternate Representatives: George Christopher; Bruce Caputo; Jose S. Sorzano; Charles M. Lichenstein; William C. Sherman

U.S. Scientific Committee on Effects of Atomic Radiation

30th session (Vienna, July 6-13)

Representative: Robert D. Moseley, Jr.

Alternate: Warren K. Sinclair

Committee on Peaceful Uses of Outer Space

30th session (Vienna, July 6-13)

Representative: Robert D. Moseley, Jr.

Alternates: Charles Horner, Kenneth Pederson, David Small

Committee on Disarmament

(Geneva, Feb. 3-Apr. 28)

Representative: Charles C. Flowerree

Alternate: Lowell R. Fleischer

(Geneva, June 11-Aug. 28)

Representative: Charles C. Flowerree

Alternate: Frank P. De Simone

¹ The Secretary of State, Alexander M. Haig, served as Chairman of the delegation, *ex officio*, during his presence at the session.

Disarmament Commission
(New York, May 18–June 5)
Representative: Marshall Bremont
Alternate: Charles C. Flowerree

Trade and Development Board of UNCTAD
22nd session (Geneva, Mar. 9–20)
Representative: Gerald B. Helman
Alternate: Charles F. Meissner

23rd session (Geneva, Sept. 28–Oct. 10)
Representative: Gerald B. Helman
Alternate: Charles F. Meissner

Special Committee on Peacekeeping Operations
Representative: Robert B. Rosenstock

Industrial Development Board of UNIDO
15th session (Vienna, May 7–29)
Representative: Roger Kirk
Alternate: Brewster R. Hemenway

Permanent Representative to UNIDO: Roger Kirk
UN Commission on International Trade Law
14th session (Vienna, June 19–26)
Representative: Peter H. Pfund
Alternate: Joseph C. Sweeney

Governing Council of UNEP
9th session (Nairobi, May 13–26)
Representative: Mary E. Hoinkes
Alternate: William C. Harrop

Special Committee on the Charter of the United Nations and on the
Strengthening of the Role of the Organization
(New York, Feb. 17–Mar. 13)
Representative: Robert Rosenstock
Alternate: Laurel Shea

Ad Hoc Committee on the Indian Ocean
(New York, Feb. 17–Mar. 6)
Representative: Jeane J. Kirkpatrick
Alternate: Marshall Bremont

(New York, June 1–17)
Representative: Jeane J. Kirkpatrick
Alternate: Marshall Bremont

Committee on Conferences
New York, Apr. 19–22)
Representative: Theodore Papendorp
Alternate: Michael Michalski

Committee on Information

(New York, Apr. 27-May 15)

Representative: Charles M. Lichenstein

Alternate: Jane Marte-Prindevilles

(New York, June 15-19)

Representative: Charles M. Lichenstein

Alternate: Alfred P. Brainard

(New York, July 6-7)

Representative: Charles M. Lichenstein

Alternate: Alfred P. Brainard

(New York, Aug. 26-27)

Representative: Charles M. Lichenstein

Alternate: Alfred P. Brainard

World Food Council

(Novi Sad, Yugoslavia, May 25-29)

Representative: John R. Block

Alternates: Michael P. Colingaert; Seely Lodwick; Quentin M. West

Special Committee on Enhancing the Effectiveness of the Non-Use of Force in International Relations

(New York, Mar. 23-April 17)

Representative: Robert B. Rosenstock

Alternates: James C. Gray, Jr.; Craig A. Arness

Ad Hoc Committee on Drafting International Convention Against Activities of Mercenaries

1st session (New York, Jan. 20-Feb. 13)

Representative: James C. Gray, Jr.

Alternate: Ralph D. Martin

Preparatory Committee for the 2nd Special Session of the General Assembly Devoted to Disarmament

1st session (New York, May 4-15)

Representative: Marshall Brement

Alternate: Charles C. Flowerree

2nd session (New York, Oct. 5-16)

Representative: Kenneth L. Adelman

Alternate: Louis G. Fields

SECURITY COUNCIL

Representative: Donald F. McHenry (through Jan. 20); Jeane J. Kirkpatrick (from Jan. 29)

Deputies: Kenneth L. Adelman (from Aug. 27); William Courtney Sherman (from Sept. 30)

Alternates: Herbert K. Reis; Dirk H. Gleysteen; Charles M. Lichenstein (from Apr. 29)

TRUSTEESHIP COUNCIL

48th session (New York, May 18–June 12)

Representative: Charles M. Lichenstein

Alternate: Daniel A. Strasser

ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1981 (New York, Feb. 3–6)

Representative: Frank W. Brecher

Alternate: David L. Cardwell

1st regular session (New York, Apr. 14–May 8)

Representative: Jose S. Sorzano

Alternate: Warren Clark

2nd regular session (Geneva, July 1–24)

Representative: Jeane J. Kirkpatrick

Alternate: Gerald B. Helman

Commission on Human Rights

37th session (Geneva, Feb. 2–Mar. 13)

Representative: Michael Novak

Alternates: Richard Shifter; Gerald B. Helman; Warren Hewitt

Commission on Narcotic Drugs

29th session (Vienna, Feb. 2–11)

Representative: Roger Kirk

Alternate: Clyde Taylor

Population Commission

21st session (New York, Jan. 26–Feb. 4)

Representative: Richard Elliott Benedick

Alternates: Conrad Taeuber; Philandes P. Clayton, Jr.

Commission on Social Development

27th session (Vienna, Feb. 9–19)

Representative: Karl H. Cerny

Alternate: John W. McDonald, Jr.

Statistical Commission

21st session (New York, Jan. 12–21)

Representative: Joseph W. Duncan

Alternate: Suzann Evinger

Commission on Status of Women

29th session (Vienna, Feb. 24–Mar. 5)

Representative: Nancy Clark Reynolds

Alternate: Vivian L. Derryck

Commission on Transnational Corporations

7th session (Geneva, Aug. 31–Sept. 14)

Representative: Seymour Rubin

Alternate: John T. McCarthy

Economic Commission for Europe
36th session (Geneva, Mar. 30–April 8)
Representative: Gerald B. Helman
Alternate: John St. John

Economic Commission for Asia and the Pacific
37th session (Bangkok, Mar. 10–21)
Representative: Marshall Brement
Alternates: Morton I. Abramowitz; Robert Brungart

Economic Commission for Latin America
19th session (Montevideo, May 4–15)
Representative: John A. Bushnell
Alternate: Shaw Smith

Economic Commission for Africa
16th session (Freetown, Apr. 6–11)
Representative: Theresa Healy
Alternate: Samuel Keller

Economic Commission for Western Asia
8th session (Sanaa, Democratic Yemen, May 3–7)
Observer: Douglas B. Neumann

Executive Board of UNICEF
Special session (New York, Jan. 22–23)
Representative: Marjorie Craig Benton
Alternates: George I. Lythcott; Herbert G. Wing

(New York, May 11–22)
Representative: Marjorie Craig Benton
Alternates: John J. Hutchings; Ann Van Dusen; Herbert G. Wing

Resumed session (New York, June 13)
Representative: Herbert G. Wing
Alternate: Robert F. Zimmerman

Special Session (New York, Oct. 22–24)
Representative: Marjorie Craig Benton
Alternates: Jose Sorzano; Theodore Papendorp; Herbert G. Wing

Committee on Non-Governmental Organizations
(New York, Feb. 9–19)
Representative: David L. Cardwell
Alternates: Carlos Sandoval; Harry W. Montgomery

(Geneva, June 30–July 1)
Representative: Richard T. Miller

Committee for Program and Coordination
21st session (New York, May 9–19)
Representative: George F. Saddler
Alternates: Theodore Papendorp; John Raleigh

Committee on Food Aid Policies

12th session (Rome, Oct. 19-29)

Representative: Julia C. Block

Alternate: Roger Sorenson

Committee on Natural Resources

7th session (New York, May 18-28)

Representative: John Reinemund

Alternate: David Davidson

Executive Committee of the High Commissioner's Program (UNHCR)

(Geneva, Oct. 8-23)

Representative: Gerald B. Helman

Alternates: Arthur E. Dewey; Don C. Eller; Peter Sarros

Commission on Human Settlements

4th session (Manila, Apr. 27-May 6)

Representative: William R. Miner

Alternate: David Macuk

Intergovernmental Committee on Science and Technology for Development

3rd session (New York, May 26-June 5)

Representative: Jose Sorzano

Alternates: Felix Dorough; William Falkner

UN Conference on New and Renewable Sources of Energy

(Nairobi, Aug. 10-21)

Representative: Stanton D. Anderson

Alternates: William C. Harrop; James Stromayer

Governing Council for UNDP

28th session (New York, June 9-30)

Representative: M. Peter McPherson

Alternates: Jose Sorzano; Marion V. Creekmore; Warren Clark, Jr.

UN International Conference on Assistance to Refugees in Africa

(Geneva, Apr. 9-10)

Representative: Jeane J. Kirkpatrick

Alternate: Gerald Helman

UN Conference on Least Developed Countries

(Paris, Sept. 1-14)

Representative: M. Peter McPherson

Alternates: Joseph C. Wheeler; Gordon S. Brown; Elinor G. Constable;

Kenneth Kauffman; John St. John

SPECIALIZED AGENCIES AND IAEA

Food and Agriculture Organization (FAO)

79th session: FAO Council (Rome, June 22-July 3)

Representative: Seeley G. Lodwick

Alternates: Martin Kriesberg; Edmund M. Parsons; Roger A. Sorenson

80th session: FAO Council (Rome, Nov. 3-5)

Representative: Gordon Streeb

Alternate: Roger Sorenson

21st session: FAO Conference (Rome, Nov. 7-26)
Delegate Ex Officio: Richard E. Lyng, Secretary of Agriculture
Delegate: Thomas A. Hammer
Alternates: Martin Kriesberg; Edmund M. Parsons; Roger Sorenson;
Gordon Streeb; Joan S. Wallace

81st session: FAO Council (Rome, Nov. 27)
Representative: Roger Sorenson

Intergovernmental Maritime Consultative Organization (IMCO)
12th session, IMCO Assembly (London, Nov. 9-20)
Representative: Admiral John B. Hays, USCG
Alternate: Herbert S. Thomas, III

International Bank for Reconstruction and Development (IBRD)
U.S. Governor, Donald T. Regan
Alternate: Myer Rashish
Temporary Alternate U.S. Executive Director: Matthew Hennessy
International Development Association

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD

International Finance Corporation

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD

International Civil Aviation Organization (ICAO)
U.S. Representative on ICAO Council and Permanent Representative:
John E. Downs

International Fund for Agricultural Development (IFAD)
12th session, Executive Board (Rome, April 21-24)
Representative: Laurence L. Rosen

13th session, Executive Board (Rome, Sept. 8-10)
Representative: Laurence L. Rosen

14th session, Executive Board (Rome, Dec. 15-17)
Representative: Laurence L. Rosen

International Telecommunication Union (ITU)
36th session, Administrative Council (Geneva, June 1-19)
Representative: Arthur L. Freeman

UN Educational, Scientific, and Cultural Organization (UNESCO)
U.S. Member, Executive Board: Jean S. B. Gerard
U.S. Permanent Representative: Jean S. B. Gerard

Universal Postal Union (UPU)
1981 session UPU Executive Council (Bern, Apr. 27-May 15)
Representative: F. X. Biglin
Alternates: H. Edgar S. Stock; Constantine Warvariv

World Health Organization (WHO)
34th World Health Assembly (Geneva, May 4-22)
Delegates: Edward N. Brandt, Jr., M.D.; E. Everett Koop, M.D.;
Robert J. Rubin, M.D.

Alternate Delegates: Gerald B. Helman; Neil A. Boyer; John H. Bryant, M.D.; Stephen C. Joseph, M.D.

World Intellectual Property Organization (WIPO)

12th series of meetings of the governing bodies of WIPO and of the Unions administered by WIPO (Geneva, Nov. 16-24)

Representative: Gerald J. Mossinghoff

Alternate: Harvey J. Winter

World Meteorological Organization (WMO)

33rd session: Executive and Preparatory Committee (Geneva, June 1-17)

Representative: George S. Benton

Alternate: Richard E. Hallgren

International Atomic Energy Agency (IAEA)

25th General Conference (Vienna, Sept. 21-25)

Representative: W. Kenneth Davis

Alternates: Richard T. Kennedy; Roger Kirk; Thomas M. Roberts

International Labor Organization (ILO)

67th International Labor Conference (Geneva, June 3-24)

Delegates: James H. Quackenbush; John Warnock

Alternates: Gerald B. Helman; David A. Peterson

Appendix 5

Scale of Assessments for the Apportionment of the Expenses of the United Nations

The scale of assessments for the contributions of member states to the United Nations budget for the financial years 1980, 1981, and 1982 will be as follows:

| Member State | Percent | Member State | Percent |
|-------------------------------|---------|----------------------------------|---------|
| Afghanistan..... | 0.01 | Cyprus..... | 0.01 |
| Albania..... | 0.01 | Czechoslovakia..... | 0.83 |
| Algeria..... | 0.12 | Denmark..... | 0.74 |
| Angola..... | 0.01 | Djibouti..... | 0.01 |
| Argentina..... | 0.78 | Dominica..... | 0.01 |
| Australia..... | 1.83 | Dominican Republic..... | 0.03 |
| Austria..... | 0.71 | Ecuador..... | 0.02 |
| Bahamas..... | 0.01 | Egypt..... | 0.07 |
| Bahrain..... | 0.01 | El Salvador..... | 0.01 |
| Bangladesh..... | 0.04 | Equatorial Guinea..... | 0.01 |
| Barbados..... | 0.01 | Ethiopia..... | 0.01 |
| Belgium..... | 1.22 | Fiji..... | 0.01 |
| Benin..... | 0.01 | Finland..... | 0.48 |
| Bhutan..... | 0.01 | France..... | 6.26 |
| Bolivia..... | 0.01 | Gabon..... | 0.02 |
| Botswana..... | 0.01 | Gambia..... | 0.01 |
| Brazil..... | 1.27 | German Democratic Republic..... | 1.39 |
| Bulgaria..... | 0.16 | Germany, Federal Republic of.... | 8.31 |
| Burma..... | 0.01 | Ghana..... | 0.03 |
| Burundi..... | 0.01 | Greece..... | 0.35 |
| Byelorussian S.S.R..... | 0.39 | Grenada..... | 0.01 |
| Cameroon..... | 0.01 | Guatemala..... | 0.02 |
| Canada..... | 3.28 | Guinea..... | 0.01 |
| Cape Verde..... | 0.01 | Guinea-Bissau..... | 0.01 |
| Central African Republic..... | 0.01 | Guyana..... | 0.01 |
| Chad..... | 0.01 | Haiti..... | 0.01 |
| Chile..... | 0.07 | Honduras..... | 0.01 |
| China..... | 1.62 | Hungary..... | 0.33 |
| Colombia..... | 0.11 | Iceland..... | 0.03 |
| Comoros..... | 0.01 | India..... | 0.60 |
| Congo..... | 0.01 | Indonesia..... | 0.16 |
| Costa Rica..... | 0.02 | Iran..... | 0.65 |
| Cuba..... | 0.11 | Iraq..... | 0.12 |

| Member State | Percent | Member State | Percent |
|------------------------|---------|-----------------------------|---------|
| Ireland | 0.16 | Qatar | 0.03 |
| Israel | 0.25 | Romania | 0.21 |
| Italy | 3.45 | Rwanda | 0.01 |
| Ivory Coast | 0.03 | Samoa | 0.01 |
| Jamaica | 0.02 | Sao Tome and Principe | 0.01 |
| Japan | 9.58 | Saudi Arabia | 0.58 |
| Jordan | 0.01 | Senegal | 0.01 |
| Kampuchea | 0.01 | Seychelles | 0.01 |
| Kenya | 0.01 | Sierra Leone | 0.01 |
| Kuwait | 0.20 | Singapore | 0.08 |
| Laos | 0.01 | Solomon Islands | 0.01 |
| Lebanon | 0.03 | Somalia | 0.01 |
| Lesotho | 0.01 | South Africa | 0.42 |
| Liberia | 0.01 | Spain | 1.70 |
| Libya | 0.23 | Sri Lanka | 0.02 |
| Luxembourg | 0.05 | Sudan | 0.01 |
| Madagascar | 0.01 | Suriname | 0.01 |
| Malawi | 0.01 | Swaziland | 0.01 |
| Malaysia | 0.09 | Sweden | 1.31 |
| Maldives | 0.01 | Syria | 0.03 |
| Mali | 0.01 | Tanzania | 0.01 |
| Malta | 0.01 | Thailand | 0.10 |
| Mauritania | 0.01 | Togo | 0.01 |
| Mauritius | 0.01 | Trinidad and Tobago | 0.03 |
| Mexico | 0.76 | Tunisia | 0.03 |
| Mongolia | 0.01 | Turkey | 0.30 |
| Morocco | 0.05 | Uganda | 0.01 |
| Mozambique | 0.01 | Ukrainian S.S.R. | 1.46 |
| Nepal | 0.01 | U.S.S.R. | 11.10 |
| Netherlands | 1.63 | United Arab Emirates | 0.10 |
| New Zealand | 0.27 | United Kingdom | 4.46 |
| Nicaragua | 0.01 | United States | 25.00 |
| Niger | 0.01 | Upper Volta | 0.01 |
| Nigeria | 0.16 | Uruguay | 0.04 |
| Norway | 0.50 | Venezuela | 0.50 |
| Oman | 0.01 | Vietnam | 0.03 |
| Pakistan | 0.07 | Yemen (Aden) | 0.01 |
| Panama | 0.02 | Yemen (Sanaa) | 0.01 |
| Papua New Guinea | 0.01 | Yugoslavia | 0.42 |
| Paraguay | 0.01 | Zaire | 0.02 |
| Peru | 0.06 | Zambia | 0.02 |
| Philippines | 0.10 | | |
| Poland | 1.24 | | |
| Portugal | 0.19 | Grand Total | 100.00 |

The rate of assessment for Saint Lucia, admitted to membership in the United Nations on Sept. 18, 1979, was established by the General Assembly on Nov. 3, 1980, as 0.01%.

The rates of assessment for Saint Vincent and the Grenadines and Zimbabwe, admitted to membership in the United Nations in 1980, were established by the General Assembly on December 18, 1981, as 0.01% and 0.02%, respectively.

In accordance with rule 160 of the Rules of Procedure of the General Assembly, states not members of the United Nations but which participate in certain of its activities shall be called upon to contribute toward the expenses incurred on the basis of the following rates:

| Non-member state | Percent |
|---------------------------------------|---------|
| Democratic People's Republic of Korea | 0.05 |
| Holy See | 0.01 |
| Liechtenstein | 0.01 |
| Monaco | 0.01 |
| Nauru | 0.01 |
| Republic of Korea | 0.15 |
| San Marino | 0.01 |
| Switzerland | 1.05 |
| Tonga | 0.01 |

The following countries being called upon to contribute to the:

(a) International Court of Justice

Liechtenstein
San Marino
Switzerland

(b) Programs Related in International Drug Control

Holy See
Liechtenstein
Monaco
Republic of Korea
Switzerland
Tonga

(c) Economic and Social Commission for Asia and the Pacific

Republic of Korea

(d) Economic Commission for Europe

Switzerland

(e) United Nations Conference on Trade and Development

Democratic People's Republic of Korea
Holy See
Liechtenstein
Monaco
Republic of Korea
San Marino
Switzerland

